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8 *Christopher Bates and Jeffrey O'Brien*

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11
12

13 **Jeff Macy, as an individual,**
14 Plaintiffs,
15 v.
16
17 **California Highway Patrol, a State**
18 **Agency; Officer Christopher Bates;**
19 **Supervisor Officer Sergeant Jeffrey**
20 **O'Brien, and Does 1 - 10, inclusive,**
Defendants.

Case No. 5:23-CV-02245-RGK-BFM

**DECLARATION OF JULIO A.
HERNANDEZ IN SUPPORT OF
OPPOSITION TO PLAINTIFF
JEFF MACY'S MOTION FOR
SANCTIONS**

Judge: Hon. Brianna Fuller Mircheff
Trial Date: Not Set
Action Filed: 5/06/2024

21 I, JULIO A. HERNANDEZ, declare:

22 1. I am an attorney licensed to practice before all the courts of the State of
23 California, a Deputy Attorney General with the California Department of Justice,
24 and counsel of record for Defendants Christopher Bates and Jeffrey O'Brien in the
25 above-entitled action. The following facts are within my personal knowledge and, if
26 called as a witness herein, I can and will competently testify thereto.

27 ///

28 ///

1 2. On October 1, 2024, the deposition of plaintiff Jeff Macy was conducted
2 and completed. The deposition took place in a conference room in San Bernardino,
3 California. The conference room is approximately 20 by 30 feet and comfortably
4 accommodated all six individuals present. The conference room table used to
5 conduct the deposition is approximately 6 by 10 feet in dimension. In attendance
6 were plaintiff Jeff Macy, Julie Macy, plaintiff's wife, Stacy M. Wilson, court
7 reporter, Saxon Christin, videographer, and myself.

8 3. Prior to the deposition commencing, Plaintiff Macy objected to the
9 deposition and video recording of the deposition. Plaintiff did not previously serve
10 written objections to the deposition notice. However, only the objection to the video
11 recording was placed on the record. On October 8, 2024, I sent a meet and confer
12 letter to Plaintiff Macy regarding his objection to the video recording before
13 seeking the Court's intervention. Consequently, Defendants have not taken
14 possession of the video recording of the deposition.

15 4. From the outset of the deposition, plaintiff Macy objected to questions
16 about relevant background information. During the deposition, Plaintiff Macy
17 continually interrupted my questioning and provided unresponsive testimony
18 requiring me to re-ask the question or seek clarification. Attached as Exhibit A is a
19 true and correct condensed copy of the transcript of the deposition of plaintiff Jeff
20 Macy for the Court's review.

21 5. At no time did I ask any on-the-record questions to Mrs. Macy. I
22 exchanged pleasantries prior and after the deposition with Mrs. Macy.

23 6. About a little over an hour into the deposition, I was attempting to
24 establish the evidentiary foundation and scope of a video that was posted on
25 YouTube purporting to demonstrate the traffic stop that is the subject of this
26 litigation.¹ After repeated interruptions and unresponsive replies to the line of
27 questioning and in a moment of frustration, I raised my voice to stop Plaintiff Macy

28 ¹ The YouTube video is referenced in Plaintiff's operative complaint.

1 from continuing while reaching out my hand in open palm in a “stop” gesture.
2 However, I did not get off my seat, stand up, lunge at the deponent, “reach across
3 the table in Plaintiff’s face” or otherwise act in an aggressive or threatening manner. I
4 immediately attempted to go off the record, however, Plaintiff Macy initially
5 refused. Once the parties were off the record, I apologized to Plaintiff Macy and the
6 others present. Upon return on the record I again apologized to Plaintiff Macy. I did
7 not again raise my voice during the deposition, even though plaintiff’s Macy’s
8 interruptions and non-responsive answers continued, prolonging the deposition. I
9 never used profanity, insulted the deponent, or in any other way attempt to impede
10 the deposition. Attached as Exhibit B is a true and correct reproduction of the line
11 of questioning that led up to raising of my voice out of frustration with the
12 deponent’s non-responsiveness.

13 7. I sincerely apologize to the Court for any conduct it may consider
14 unbecoming.

15 I declare under penalty of perjury under the law of the United States and State
16 of California that the foregoing is true and correct. Executed this 22nd day of
17 October, 2024, Sacramento, California.

18
19 /s/ Julio A. Hernandez
JULIO A. HERNANDEZ

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DECLARATION OF SERVICE BY E-MAIL AND U.S. MAIL

Case Name: *Macy, Jeff, et al. v. California Highway Patrol, et al.*
Case No.: **5:23-CV-02245-RGK-BFM**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On **October 22, 2024**, I served the attached **DECLARATION OF JULIO A. HERNANDEZ IN SUPPORT OF OPPOSITION TO PLAINTIFF JEFF MACY'S MOTION FOR SANCTIONS** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Jeff Macy
P.O. Box #103
Twin Peaks, CA 92391
E-mail: macybuilders@yahoo.com

In Pro Per

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on **October 22, 2024**, at Sacramento, California.

Donna Kulczyk
Declarant

/s/ Donna Kulczyk
Signature

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

--oOo--

Jeff Macy, as an individual, Jerusha Macy,)CASE NO.
as an individual, Josiah Macy, as an)5:23-CV-02245-
individual, and Jodiah Macy, as an)RGK-BFM
individual,)

Plaintiffs,)

vs.)

California Highway Patrol, a State Agency;))
Officer Christopher Bates; Supervisor)
Officer Sergeant Jeffrey O'Brien, and Does)
1 - 10, inclusive,)

Defendants.)

DEPOSITION OF JEFF MACY
SAN BERNARDINO, CALIFORNIA
TUESDAY, OCTOBER 1, 2024
9:07 A.M. - 12:46 P.M.

Reported by:
Stacy M. Wilson
CSR No. 9530
Job No. 6884847

<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE CENTRAL DISTRICT OF CALIFORNIA</p> <p>3 --oOo--</p> <p>4</p> <p>5 Jeff Macy, as an individual, Jerusha Macy,)CASE NO.</p> <p>6 as an individual, Josiah Macy, as an)5:23-CV-02245-</p> <p>7 individual, and Jodiah Macy, as an)RGK-BFM</p> <p>8 individual,)</p> <p>9)</p> <p>10 Plaintiffs,)</p> <p>11 vs.)</p> <p>12)</p> <p>13 California Highway Patrol, a State Agency;)</p> <p>14 Officer Christopher Bates; Supervisor)</p> <p>15 Officer Sergeant Jeffrey O'Brien, and Does)</p> <p>16 1 - 10, inclusive,)</p> <p>17)</p> <p>18 Defendants.)</p> <p>19)</p> <p>20</p> <p>21 DEPOSITION OF JEFF MACY, taken on behalf of</p> <p>22 the Defendants, at Regus - Three Parkside, 473 E.</p> <p>23 Carnegie Drive, Suite 200, San Bernardino, California,</p> <p>24 beginning at 9:07 a.m. and ending at 12:46 p.m., on</p> <p>25 Tuesday, October 1, 2024, before Stacy M. Wilson, CSR</p> <p>No. 9530, a Certified Shorthand Reporter within and for</p> <p>the State of California.</p> <p>--oOo--</p> <p>Page 2</p>	<p>1 1 INDEX OF EXAMINATIONS</p> <p>2 2 Page</p> <p>3 3 EXAMINATION BY MR. HERNANDEZ 7</p> <p>4 4</p> <p>5 5</p> <p>6 6 INDEX OF DEFENDANTS' EXHIBITS</p> <p>7 7 No. Description Page</p> <p>8 8</p> <p>9 Exhibit A Notice of Taking of Deposition of 13</p> <p>10 Plaintiff Jeff Macy</p> <p>11 Exhibit B Response By Plaintiff Jeff Macy to 21</p> <p>12 Defendant Jeffrey O'Brien's</p> <p>13 Interrogatories (Set One)</p> <p>14 Exhibit C Response By Plaintiff Jeff Macy to 21</p> <p>15 Defendant Christopher Bates's</p> <p>16 Interrogatories (Set One)</p> <p>17 Exhibit D Response By Plaintiff Jeff Macy to 21</p> <p>18 Defendant Christopher Bates's Request</p> <p>19 For Admission (Set One)</p> <p>20 Exhibit E Screenshot taken from YouTube regarding 25</p> <p>21 Traffic Stop</p> <p>22</p> <p>23 Exhibit F Cell Phone Video taken by Plaintiff 65</p> <p>24 Jeff Macy of Incident on June 27, 2023</p> <p>25</p> <p>QUESTIONS REFUSED TO ANSWER</p> <p>PAGE LINE</p> <p>13 16</p> <p>13 22</p> <p>16 23</p> <p>21 7</p> <p>Page 4</p>
<p>1</p> <p>2</p> <p>3 APPEARANCES</p> <p>4</p> <p>5 FOR THE PLAINTIFF: JEFF MACY, IN PRO PER</p> <p>6 P.O. BOX 103</p> <p>7 TWIN PEAKS, CA 92391</p> <p>8 (909) 744-8480</p> <p>macybuilders@yahoo.com</p> <p>9</p> <p>10 FOR THE DEFENDANTS: STATE OF CALIFORNIA</p> <p>11 DEPARTMENT OF JUSTICE</p> <p>12 OFFICE OF THE ATTORNEY GENERAL</p> <p>13 BY: JULIO A. HERNANDEZ, ESQ.</p> <p>14 1300 I STREET, SUITE 125</p> <p>15 P.O. BOX 944255</p> <p>16 SACRAMENTO, CA 94244-2550</p> <p>17 (916) 210-6238</p> <p>18 julio.hernandez@doj.ca.gov</p> <p>19</p> <p>20 THE VIDEOGRAPHER: SAXON CHRISTIN</p> <p>21</p> <p>22 ALSO PRESENT: JULIE MACY</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 3</p>	<p>1 TUESDAY, OCTOBER 1, 2024, SAN BERNARDINO, CALIFORNIA</p> <p>2 9:07 A.M.</p> <p>3 ---oOo---</p> <p>4</p> <p>5 THE VIDEOGRAPHER: Good morning. We are going 09:07</p> <p>6 on the record at 9:07 a.m. on October 1st, 2024. Please 09:08</p> <p>7 note that the microphones are sensitive and may pick up 09:08</p> <p>8 whispering and private conversations. Please mute your 09:08</p> <p>9 phones at this time. Audio and video recording will 09:08</p> <p>10 continue to take place unless all parties agree to go 09:08</p> <p>11 off the record. 09:08</p> <p>12 This is Media Unit 1 of the video-recorded 09:08</p> <p>13 deposition of Jeff Macy in the matter of Jeff Macy, 09:08</p> <p>14 et al., versus California Highway Patrol, et al., filed 09:08</p> <p>15 in the United States District Court for the Central 09:08</p> <p>16 District of California. The case number is 09:08</p> <p>17 5:23-CV-02245-RGK-BFM. 09:09</p> <p>18 The location of the deposition is 473 East 09:09</p> <p>19 Carnegie Drive, Suite 200, San Bernardino, California 09:09</p> <p>20 92408. My name is Saxon Christin representing Veritext 09:09</p> <p>21 Legal Solutions, and I'm the videographer. The court 09:09</p> <p>22 reporter is Stacy Wilson from the firm Veritext Legal 09:09</p> <p>23 Solutions. I'm not authorized to administer an oath. I 09:09</p> <p>24 am not related to any party in this action nor am I 09:09</p> <p>25 financially interested in the outcome. 09:09</p> <p>Page 5</p>

1	If there are any objections to proceeding,	09:09
2	please state them at the time of your appearance.	09:09
3	Counsel and all present will now state their appearances	09:09
4	and affiliations for the record beginning with the	09:09
5	noticing attorney.	09:09
6	MR. HERNANDEZ: Julio Hernandez on behalf of	09:09
7	the Defendants Christopher Bates and Jeffrey O'Brien.	09:09
8	MR. MACY: Jeff Macy, the prose- -- the	09:09
9	prosecuting, representing myself.	09:10
10	And the federal law in California law says you	09:10
11	can't -- you can't do -- you can't record the opposing	09:10
12	party. It would cause -- the exact wording would be to	09:10
13	"Prevent attorneys from taking undue advantage and	09:10
14	efforts." Civil Code Procedure 2018.020 Subsection (b).	09:10
15	MR. HERNANDEZ: Okay.	09:10
16	THE VIDEOGRAPHER: One moment. The court	09:10
17	reporter may now swear in the witness.	09:10
18		
19	JEFF MACY,	
20	called as a witness, having been administered an oath	
21	in accordance with C.C.P. Section 2093(b), testified as	
22	follows:	
23		
24	MR. HERNANDEZ: Okay. Before we begin the	09:10
25	deposition, Mr. Macy has now brought an objection to the	09:10
Page 6		
1	videotaping of this deposition. He put his objection on	09:10
2	the record, but we have agreed as defendants that	09:10
3	defendants will not take possession of the videotaped	09:10
4	deposition until the court rules on Mr. Macy's	09:11
5	objection.	09:11
6	As such, we will go forward with the deposition	09:11
7	videotaped, but the videotape will not be provided to	09:11
8	counsel until which time the court orders so. And	09:11
9	defendants' counsel will notify videographer at that	09:11
10	time.	09:11
11		09:11
12	EXAMINATION	09:11
13	BY MR. HERNANDEZ:	09:11
14	Q. Do you understand? Is that agreed to,	09:11
15	Mr. Macy?	09:11
16	A. I want -- I don't have his name and his card.	09:11
17	I want to make sure he knows it's California two-party	09:11
18	concept law. I know this is federal, but I do not agree	09:11
19	with him being here filming me.	09:11
20	Q. We understand. That's why we put the objection	09:11
21	on the record.	09:11
22	A. So can I get his card?	09:11
23	Q. You will get it after the deposition.	09:11
24	A. But not during? Not before he's videoing me?	09:11
25	So I have no idea who is videoing me.	09:11
Page 7		
1	Q. Actually it will be provided to you as part of	09:11
2	the deposition transcript. It will identify who the	09:11
3	video and court reporter is.	09:11
4	A. So I'm asking are you willing to give me your	09:11
5	identification as to the one filming?	09:11
6	Q. Sir, you're not the one asking questions today	09:12
7	so that would be inappropriate --	09:12
8	A. It's not inappropriate if someone is filming	09:12
9	me. He has a camera how many feet from me? 4 feet,	09:12
10	5 feet?	09:12
11	Q. Okay, Mr. Macy.	09:12
12	A. I have the right to know.	09:12
13	Q. And you will know that information. It does	09:12
14	not have to be --	09:12
15	A. You're not going to give it to me now?	09:12
16	Q. I'd prefer that he give it to you. You will	09:12
17	get a copy of it.	09:12
18	A. On the record too, this cost me \$32 in gas.	09:12
19	\$17 here. \$17 back. \$320 for dumping trash that we	09:12
20	lost today. This is expected \$354 of travel expense to	09:12
21	be paid.	09:12
22	Q. Okay. Mr. Macy, I need you to stop. I'm not	09:12
23	going to let you filibuster my deposition.	09:12
24	A. It's a simple question.	09:12
25	Q. Okay. Mr. Macy, can you please state and spell	09:12
Page 8		
1	your full name for the record.	09:12
2	A. I already did.	09:12
3	Q. Can you please state and spell your full name	09:12
4	for the record.	09:12
5	A. Again? You want me to do it again?	09:12
6	Q. Yes, sir.	09:12
7	A. You're asking the same question. I already	09:12
8	gave you my name. J-e-f-f, M-a-c-y. This is the second	09:12
9	time you've asked that.	09:13
10	Q. Sir, I didn't ask you before.	09:13
11	Mr. Macy, do you understand --	09:13
12	A. She asked me.	09:13
13	Q. Mr. Macy, do you understand --	09:13
14	A. You don't trust her?	09:13
15	Q. Mr. Macy, do you understand that you're here	09:13
16	providing your deposition under oath today?	09:13
17	A. Yes. She's already said that. It's been	09:13
18	repeated.	09:13
19	Q. Okay. I just want to make sure that you	09:13
20	understand.	09:13
21	I would like to go over some ground rules for	09:13
22	the deposition so this can be smoother and we can get	09:13
23	out of here faster. Okay?	09:13
24	First and foremost before this deposition	09:13
25	began, you were placed under oath by the court reporter	09:13
Page 9		

1 that's sitting to your right. So anything you do say 09:13	1 events? 09:15
2 here today that's taken down by this court reporter has 09:13	2 A. No. 09:15
3 the same weight and authority as though you'd be 09:13	3 Q. Okay. Other than the objection that you put on 09:15
4 standing in open court before a judge or a jury. 09:13	4 the record already, is there any reason why we couldn't 09:15
5 Do you understand that, sir? 09:13	5 continue with this deposition here today? 09:15
6 A. Yes, sir. 09:13	6 A. Just the objections I said -- 09:15
7 Q. Okay. This is a question-and-answer session. 09:13	7 Q. Okay. 09:15
8 The court reporter is here to take down what's being 09:13	8 A. -- about recording. 09:15
9 said. It is difficult for the court reporter to take 09:13	9 I didn't get a response out of the guy 09:15
10 down what's being said if more than one person is 09:13	10 recording me as to who he is. 09:15
11 speaking at the same time. 09:13	11 Q. Okay, sir. 09:15
12 As such, I'd ask you to wait until my question 09:13	12 A. He's supposed to identify himself. It says 09:15
13 is completed before providing a response, and I will 09:13	13 that in federal law procedure. He needs to identify 09:15
14 extend you the same courtesy. If for some reason we 09:14	14 himself. That's what it says. So I can obtain the 09:16
15 start talking over each other, the court reporter might 09:14	15 video if I need it -- right? -- or whatever he has in 09:16
16 get upset and let us know. I'd prefer to avoid 09:14	16 his possession. 09:16
17 upsetting the court reporter, but I will as well try to 09:14	17 Q. As I indicated -- 09:16
18 -- try to extend you that courtesy? 09:14	18 A. I have no way to access it in front of him. 09:16
19 Do you understand, sir? 09:14	19 Q. Mr. Macy, as I indicated to you, you will get 09:16
20 A. Yes. 09:14	20 that information. 09:16
21 Q. Okay. If you answer any of my questions, it's 09:14	21 Did you review any documents in preparation for 09:16
22 an understanding that you understood my question. If 09:14	22 the deposition here today? 09:16
23 for some reason you do not understand my question -- 09:14	23 A. No, I did not. 09:16
24 it's vague, it's unclear to you -- please let me know, 09:14	24 Q. Okay. Did you speak to anybody about the 09:16
25 and I will try to clarify for you. 09:14	25 deposition in preparation for the deposition here today? 09:16
Page 10	Page 12
1 Do you understand? 09:14	1 A. No, I did not. 09:16
2 A. Yes. 09:14	2 Q. And do you understand that you're here because 09:16
3 Q. Okay. I ask you not to guess during the 09:14	3 we sent a notice of deposition to you? 09:16
4 deposition. If you use the word "guess," I will 09:14	4 A. Yes. 09:16
5 interject a clarification. We don't want you to guess. 09:14	5 Q. Okay. If you look, I left a little stack of 09:16
6 We want you to give us your best testimony. 09:14	6 documents I know you're flipping through right now. The 09:16
7 Do you understand? 09:14	7 first one is Exhibit A. It's a copy of the notice of 09:16
8 A. Yes. 09:14	8 deposition. That's the notice that brought you here 09:16
9 Q. Okay. And I ask you to give me a verbal 09:14	9 today; right? 09:16
10 response. If you could avoid guttural sounds such as 09:15	10 A. Correct. 09:16
11 huh-uh, yay, nah, that type of thing. It's important 09:15	11 (Defendants' Exhibit A was marked for 09:16
12 for the court reporter to be able to type down what's 09:15	12 identification and is attached hereto.) 09:16
13 being said. So if you do something like that, I may 09:15	13 BY MR. HERNANDEZ: 09:16
14 clarify, "Is that a yes or a no?" so we have a clarified 09:15	14 Q. All right. Mr. Macy, I just want to get some 09:16
15 record. 09:15	15 quick background information from you. 09:16
16 Do you understand? 09:15	16 My understanding is that your current address 09:16
17 A. Yes. 09:15	17 is 26175 Augusta Way in Lake Arrowhead. Is that 09:16
18 Q. If you need to take a break for any reason, we 09:15	18 correct? 09:16
19 can do so. If you'd just let me know. I don't plan to 09:15	19 A. It's privileged. We don't want that on the 09:16
20 be here too long. However, we usually take a break 09:15	20 record for people to know where I live. It's like 09:16
21 after every hour or so. 09:15	21 what's your address? 09:17
22 Do you understand? 09:15	22 Q. ZIP Code is 92352? 09:17
23 A. Yes. 09:15	23 A. I'm not going to answer these questions. It's 09:17
24 Q. Did you take any medication this morning that 09:15	24 privileged information. We're not putting your name and 09:17
25 in any way will affect your ability to remember facts or 09:15	25 address on the video for people you don't know to have. 09:17
Page 11	Page 13

1	That's not proper.	09:17	1	A. It's privileged information. You're not making	09:18
2	THE WITNESS: I'm sorry. Am I talking too	09:17	2	sense. This has nothing to do with this case right	09:18
3	fast?	09:17	3	here. She's a witness just like she's a witness	09:18
4	BY MR. HERNANDEZ:	09:17	4	(indicating). He's -- he won't give me his name. How	09:18
5	Q. What is your date of birth, sir?	09:17	5	about to be fair? You give me his name. I'll give you	09:18
6	A. That's privileged information. You already	09:17	6	her name. That will be fair.	09:18
7	have this information --	09:17	7	Q. Mr. Macy, I'm going to give you just one	09:18
8	Q. How old are --	09:17	8	warning, and that's it. You keep telling me you're	09:18
9	A. -- I would imagine.	09:17	9	not -- you're refusing to answer my questions, which are	09:18
10	Q. How old are you, sir?	09:17	10	completely legitimate in a case like this. If -- once	09:19
11	A. I'm old enough. 56.	09:17	11	the deposition is over, we may move to seek sanctions	09:19
12	Q. Okay.	09:17	12	and compel you to answer these questions.	09:19
13	A. That's not information we want to --	09:17	13	So just to let you know, if you keep saying	09:19
14	Q. At the time -- do you understand that we're	09:17	14	that you will not answer these questions that I'm asking	09:19
15	here to discuss an incident that occurred on June --	09:17	15	you, that there's a possibility -- actually a strong	09:19
16	A. Yes. We should be focused on that.	09:17	16	possibility that the courts -- the court will, you know,	09:19
17	Q. Do you understand we're here to discuss an	09:17	17	have you answer these questions that are just background	09:19
18	incident that occurred on June 27th, 2023?	09:17	18	information which is seeking information about potential	09:19
19	A. Correct.	09:17	19	witnesses regarding this incident.	09:19
20	Q. At the time of the accident -- at the time of	09:17	20	A. She's not a witness to this.	09:19
21	the incident how old were you?	09:17	21	Q. Sir, do you understand what I just said?	09:19
22	A. Is that something we should talk about?	09:17	22	A. Yeah.	09:19
23	Q. How old were you at the time of the incident,	09:17	23	Q. Okay. All right. How long have you been at	09:19
24	sir?	09:17	24	the Augusta Way address?	09:19
25	A. I don't know for sure. Probably 55. I don't	09:17	25	A. It's privileged information. This is not	09:19
Page 14			Page 16		
1	know.	09:17	1	relevant to the case how long I live somewhere.	09:19
2	Q. Okay. You're married?	09:17	2	Q. And are you currently employed, sir?	09:19
3	A. You can look it up.	09:17	3	A. Yes.	09:19
4	Yes. This is privileged information, though,	09:17	4	Q. Okay. Who are you employed with, or are you	09:19
5	so I don't really want to keep answering those type of	09:17	5	self-employed?	09:19
6	questions.	09:18	6	A. Myself. I dump trash.	09:19
7	Q. At the time of the accident -- at the time of	09:18	7	Q. Okay. And do you have a name for your company,	09:19
8	the incident, my understanding is that you had your --	09:18	8	sir?	09:20
9	you had three of your children with you at the time.	09:18	9	A. It's on the card. Family Firewood Trash	09:20
10	Correct?	09:18	10	Service. It's in the paperwork. You can read it.	09:20
11	A. Correct. That's relevant.	09:18	11	Q. Do you have -- what's the name of --	09:20
12	Q. Okay. Do you have any other children, sir?	09:18	12	A. Here's a copy of it.	09:20
13	A. That's privileged information. It's not making	09:18	13	Q. What's the name of your company, sir?	09:20
14	sense. How does it matter how many people you have in	09:18	14	A. We have several. Family Firewood Hauling.	09:20
15	the car when the highway patrol pulls you over? It's	09:18	15	There's a Bible verse on it. Religiously protected	09:20
16	irrelevant.	09:18	16	nonprofit organization. I guess the best answer would	09:20
17	Q. What's your wife's name, sir?	09:18	17	be 1611Bible.US. and/or PTSD2Health. I'm the director	09:20
18	A. It's privileged information. She was not there	09:18	18	of both. We do good things for free for people. We	09:20
19	at the accident -- or not the accident. The event.	09:18	19	make money, and we give it to the community.	09:20
20	Q. Is your wife here with us today?	09:18	20	Q. Okay. So just I understand, your company is	09:20
21	A. Yes, she is.	09:18	21	called Family Firewood?	09:20
22	Q. Okay. And earlier you said that she's here as	09:18	22	A. It's one of our cards. Our company name -- I	09:20
23	a witness; right?	09:18	23	said it more clearly -- is 1611 Bible. That's under the	09:20
24	A. Correct.	09:18	24	umbrella of that. That's how we provide funds to give	09:20
25	Q. What is her name, sir?	09:18	25	to the community. We don't take donations.	09:20
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1 Q. Your name of your self-employment is 09:20	1 give his name to be fair. 09:22
2 1611 Bible? 09:21	2 Q. You will receive it, sir. 09:22
3 A. Yes. Dot US. 09:21	3 And how long have you been married, sir? 09:22
4 Q. That's a website? 09:21	4 A. It's privileged information. I don't believe 09:23
5 A. You can look it up, yep. Same exact address. 09:21	5 this is going to be relevant to the case. 09:23
6 Q. Okay. 09:21	6 Q. How long have you been married, sir? 09:23
7 A. See, we give free Bible, counseling. 09:21	7 A. She's not a witness to the case. 09:23
8 Q. At the time of the incident, sir, you were 09:21	8 Q. How long have you -- how long have you been 09:23
9 driving -- 09:21	9 married, sir? Are you refusing -- 09:23
10 A. It says it on there, hauling, right there. I 09:21	10 A. A long time. 09:23
11 just want to make sure that's clear on the video. 09:21	11 Q. Are you refusing to answer? 09:23
12 Hauling. 09:21	12 A. I'll answer. 09:23
13 Q. Mr. Macy, at the time -- 09:21	13 THE WITNESS: This is going to get you -- I 09:23
14 A. It makes a big difference to this case. 09:21	14 don't want to get you upset. I have to think about it. 09:23
15 Q. Mr. Macy, at the time of the incident you were 09:21	15 26 years maybe. 09:23
16 pulled over; correct? 09:21	16 BY MR. HERNANDEZ: 09:23
17 A. Illegally pulled over, yes. 09:21	17 Q. Okay. 09:23
18 Q. Okay. And you were driving a -- what's 09:21	18 A. I don't know. See, that's why I said I don't 09:23
19 typically called a box truck? 09:21	19 know for sure. 09:23
20 A. Trash truck. 09:21	20 Q. Now, at the time of the incident you had 09:23
21 Q. Okay. Trash truck. 09:21	21 three children with you; right? 09:23
22 A. Hauling right here. 09:21	22 A. Correct. 09:23
23 Q. Who owned the trash truck at the time of the 09:21	23 Q. Okay. Jerusha Macy? 09:23
24 incident? 09:21	24 A. Yes. 09:23
25 A. I think it's in my name. 09:21	25 Q. How old is he or she? 09:23
Page 18	Page 20
1 THE WITNESS: Right? 09:21	1 A. I think 26. 09:23
2 Me Jeff Macy. 09:21	2 Q. Josiah Macy? 09:23
3 BY MR. HERNANDEZ: 09:21	3 A. I think 24. 09:23
4 Q. Okay. 09:21	4 Q. I shouldn't be writing on this. 09:23
5 A. And we just got back from the dump with a 09:21	5 And Jodiah, how old? 09:23
6 receipt that was provided to you showing that the seat 09:21	6 A. I think 22. I'm within a year. 09:23
7 belt issue was irrelevant. 09:21	7 Q. And do you have any other children, sir? 09:23
8 Q. Sir, have you ever served in the military? 09:21	8 A. It's privileged. They're not part of the case. 09:23
9 A. No. 09:21	9 This is not --
10 Q. Since the date of this incident have you filed 09:21	10 Q. Are you refusing -- are you refusing to answer
11 for bankruptcy? 09:22	11 that question?
12 A. No. 09:22	12 A. Yeah. I don't think you should know about all
13 Q. At the time of the incident you had a valid 09:22	13 my kids. And I don't think that the court's going to
14 driver's -- at the time of the incident you had a valid 09:22	14 allow that. It's not relevant to this case. They're
15 driver -- California driver's license? 09:22	15 not going to be witnesses. The witnesses are the people
16 A. Correct. 09:22	16 in the vehicle. I'm a witness. You're a witness. I
17 Q. Sorry. 09:22	17 mean, you're not a witness.
18 A. And the vehicle's registered. All paperwork 09:22	18 All right. What's the next question?
19 was provided, proof of insurance. Everything was okay. 09:22	19 Q. All right. In front of you I've placed three
20 There was no -- there was no incident from us. And 09:22	20 documents that are marked B, C, and D --
21 you're not required to wear seat belts when you're a 09:22	21 A. Correct.
22 trash company as we disclosed anyways. 09:22	22 Q. -- that you were flipping through.
23 Q. All right. So are you going to refuse to 09:22	23 A. Right.
24 answer the questions I asked you about your wife's name? 09:22	24 (Defendants' Exhibits B through D were marked for
25 A. Julie Macy. I'm still going to ask that you 09:22	25 identification and are attached hereto.)
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1 BY MR. HERNANDEZ:		1 Q. And if you flip to the back page, page 19.	09:26
2 Q. The first one is called Response By Plaintiff		2 A. The signature page?	09:26
3 Jeff Macy to Defendant Jeffrey O'Brien's Interrogatories		3 Q. Yes.	09:26
4 (Set One).		4 Is that your signature, sir, where it says	09:26
5 Do you see that, sir?		5 Jeff Macy --	09:26
6 A. I do see it.		6 A. Yes.	09:26
7 Q. Okay. Can you do me a favor? Can you flip		7 Q. -- 16- --	09:26
8 through it and confirm this is a true and correct copy		8 A. Yes.	09:26
9 of the request -- your responses to a request by --		9 Q. And it's dated 8/30/24?	09:26
10 A. I would have to have a copy at my house to be		10 A. Correct.	09:26
11 that authentic, but --		11 Q. And these responses you prepared; correct?	09:26
12 Q. But you did provide --		12 A. Yes. With some help from my daughter.	09:26
13 A. I did provide some, yes.		13 Q. Okay. But you provided the response to request	09:26
14 Q. If you flip to page 19.	09:25	14 by Christopher Bates; right?	09:26
15 A. Okay.	09:25	15 A. Correct.	09:26
16 Q. Is that your signature, sir?	09:25	16 Q. Let's go to Exhibit D, sir.	09:26
17 A. Yes.	09:25	17 A. Okay.	09:26
18 Q. Where it says Jeff Macy and the smiley face?	09:25	18 Q. Exhibit D is called Response to Plaintiff Jeff	09:26
19 A. Yeah. It says 1611 Bible Law Translator.	09:25	19 Macy to Defendant Christopher Bates's Request For	09:26
20 Q. Okay. And then below it's dated 8/30/24?	09:25	20 Admission (Set One).	09:26
21 A. Yes.	09:25	21 And these were requests asking you to admit	09:26
22 Q. Okay. Do you realize you were required to	09:25	22 certain information.	09:26
23 provide a verification for these responses indicating	09:25	23 A. Okay. I signed it.	09:26
24 they're true and correct?	09:25	24 Q. Okay. If you go --	09:27
25 A. Yeah.	09:25	25 A. Yes.	09:27
Page 22		Page 24	
1 Q. Okay.	09:25	1 Q. -- to page 6, that's your signature, sir?	09:27
2 A. Yes.	09:25	2 A. Yes, it is.	09:27
3 Q. Okay. Did you provide one?	09:25	3 Q. And you prepared these -- or let me rephrase.	09:27
4 A. Did I provide what?	09:25	4 A. With help of my daughter.	09:27
5 Q. A verification?	09:25	5 Q. And you provided those to our office as	09:27
6 A. I don't know what that means. You have to be	09:25	6 responses; right?	09:27
7 more clear what that means. I don't know what that	09:25	7 A. Yes, sir.	09:27
8 means.	09:25	8 Q. All right.	09:27
9 Q. A verification is just a document that	09:25	9 A. Exhibit E?	09:27
10 indicates the responses that you provided are true and	09:25	10 Q. Okay. So let's turn to the date of the	09:27
11 correct and accurate.	09:25	11 incident.	09:27
12 A. I assume it was provided if it was submitted.	09:25	12 Sir, your understanding, it occurred June 27th,	09:27
13 I mean, I don't know. I don't know for sure.	09:25	13 2023; right?	09:27
14 Q. Okay. Can you turn to Exhibit C.	09:25	14 A. I would have to look, but whenever -- I don't	09:27
15 A. What page?	09:25	15 think the date matters that much, but sure.	09:27
16 Q. Exhibit C.	09:25	16 Q. Okay. Let's clarify the date.	09:27
17 A. Exhibit C. Okay. Yes.	09:25	17 A. Okay.	09:27
18 Q. These are called Response By Plaintiff Jeff	09:26	18 Q. If you look at Exhibit E.	09:27
19 Macy to Defendant Christopher Bates's Interrogatories.	09:26	19 A. Okay. E. A picture of a car.	09:27
20 A. Okay.	09:26	20 Q. It's a copy --	09:27
21 Q. Okay. And as far as you know, you did prepare	09:26	21 A. Is that a car?	09:27
22 some -- some responses; correct?	09:26	22 Q. Do you have Exhibit E in front of you?	09:27
23 A. Yes.	09:26	23 A. Yeah. It's probably that date.	09:27
24 Q. Okay.	09:26	24 (Defendants' Exhibit E was marked for	09:27
25 A. Yes.	09:26	25 identification and is attached hereto.)	09:27
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1 BY MR. HERNANDEZ: 09:27	1 Q. Is it your understanding that this is the video 09:29
2 Q. Okay. So let me for the record explain what 09:27	2 that was taken by you and one of your children during 09:30
3 this is. This is a screenshot taken from a YouTube 09:27	3 the stop on June 27th, 2023? 09:30
4 video. The YouTube URL is https, colon, slash -- back 09:27	4 A. It would seem like it would have to be. 09:30
5 slash, back slash, www, dot, YouTube, dot com, back 09:28	5 Q. Okay. Do you understand that the URL that's 09:30
6 slash, watch, question mark, v, equals, cap G, small v, 09:28	6 listed at the top is the URL that you listed on one of 09:30
7 small m, small a, capital M, small o, small n, small u, 09:28	7 the complaints you filed with the federal court? 09:30
8 capital P, small e, small o. The title of this is 09:28	8 A. Okay. There you go. Then someone -- maybe my 09:30
9 called HWP Traffic Stop June 27th, 1:41 p.m. 09:28	9 daughter uploaded it. That's probably what happened. 09:30
10 Do you see that, sir? 09:28	10 It's got to be the video that we had access to. Is that 09:30
11 A. Yes, sir. 09:28	11 good wording? 09:30
12 Q. Okay. And then the person who uploaded it is 09:28	12 Q. I just want to confirm -- 09:30
13 Ghost man? 09:28	13 A. I was in possession of the video at some point. 09:30
14 A. That's us. 09:28	14 Q. Okay. 09:30
15 Q. Okay. Is this the video that you took at the 09:28	15 A. It wasn't anyone else's. 09:30
16 time of the stop that you posted -- 09:28	16 Q. Any reason why the date would be incorrect on 09:30
17 A. It makes sense. I don't think anyone else had 09:28	17 the video -- 09:30
18 it unless you guys reposted it when I gave it to you. 09:28	18 A. I doubt it. 09:30
19 Either that or the highway patrol had access to it. 09:28	19 Q. -- on the title of the video? 09:30
20 Q. I can represent to you that this came from the 09:28	20 A. I think it's accurate. 09:30
21 complaint that you filed. 09:28	21 Q. So as far as you know -- 09:30
22 A. Okay. I believe you. I won't argue what the 09:29	22 A. I'm not trying to argue. 09:30
23 date is. It's not relevant to me. 09:29	23 Q. -- you -- this incident occurred on June 27th, 09:30
24 Q. But I just want to confirm that you did post 09:29	24 2023? 09:30
25 the video under Ghost man -- 09:29	25 A. Okay. 09:30
Page 26	Page 28
1 A. It wasn't me. It was someone that I know. 09:29	1 Q. Thank you, sir. That's all needed you to 09:30
2 Q. Okay. But this was posted on behalf of you -- 09:29	2 understand. 09:30
3 A. Sure. 09:29	3 A. I'm not disagreeing on stuff that's -- 09:30
4 Q. -- onto YouTube? 09:29	4 Q. All right. So I'd like to go step by step -- 09:30
5 A. My -- I didn't -- I wasn't allowed to film it. 09:29	5 A. Sure. 09:31
6 Q. Once again, I need you to answer the question. 09:29	6 Q. -- in terms of -- 09:31
7 A. Okay. Well, I said -- the way you're saying 09:29	7 A. Want to go to F? 09:31
8 it, I did not upload it, no. 09:29	8 Q. No. We will in a minute. 09:31
9 Q. Okay. You didn't upload it, but it was 09:29	9 So I just want to understand how the incident 09:31
10 uploaded on behalf of you? 09:29	10 occurred. 09:31
11 A. I don't know if it was on behalf of me. 09:29	11 A. Okay. 09:31
12 Q. Okay. 09:29	12 Q. So my understanding is, once again, that you 09:31
13 A. But somebody uploaded it. 09:29	13 were driving -- I think you called it a trash truck? 09:31
14 Q. Okay. 09:29	14 A. Yes. 09:31
15 A. I didn't tell someone to upload it. 09:29	15 Q. Do you recall what highway you were on? 09:31
16 Q. Is your account Ghost man? 09:29	16 A. Highway 18. 09:31
17 A. I don't think so. 09:29	17 Q. Okay. And where were you coming from at the 09:31
18 Q. Okay. But this is the video that you took? 09:29	18 time of the incident? 09:31
19 A. I don't know why this would matter. I mean, 09:29	19 A. The dump. We provided a receipt. We literally 09:31
20 it's a video that's been uploaded, yeah. 09:29	20 came from the dump. And I showed him that and tried to 09:31
21 Q. Right. 09:29	21 talk him out of giving me this ticket, which was 09:31
22 But is this a video -- your understanding -- 09:29	22 illegal. 09:31
23 A. I did not do it personally, no. 09:29	23 Q. Which dump, sir? 09:31
24 Q. Okay. But is it your understanding that -- 09:29	24 A. I got to get it right. It's in Running 09:31
25 A. I don't have the technology for that. 09:29	25 Springs. Waste Management. They have all this 09:31
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1 different wording. They keep changing the dump name. 09:31	1 Q. Okay. So what first alerted you that the CHP 09:33
2 Q. But it's a dump in Running Springs? 09:31	2 was pulling you over? 09:33
3 A. Yes. 09:31	3 A. Well, I recognized the guy on the side. It's 09:33
4 Q. Okay. 09:31	4 the same guy that harassed us before. Parked in front 09:33
5 A. Operated by Burrtec trash company who we have a 09:31	5 of my house just a month previously. Followed us down 09:33
6 lawsuit against. It's very mysterious the highway 09:31	6 the street two weeks earlier. I recognized him on the 09:33
7 patrol pulls us over covering for them. 09:31	7 side of the road. And I went "This guy is going to try 09:33
8 Q. Okay. So where were you headed at the time -- 09:31	8 to get us." We knew he was after us. 09:33
9 A. Our competition. 09:32	9 That's why I have camera all the time. I have 09:33
10 Q. At the time -- 09:32	10 witnesses with me all the time. I can't go without 09:33
11 A. We were headed home or to go get more trash. 09:32	11 witnesses anymore. I do Bible, and I have serious cases 09:33
12 Pick up more trash. 09:32	12 going on within the courts right now. 09:33
13 Q. Okay. You were headed home to pick up trash 09:32	13 Q. Okay. Just stop for a second. 09:33
14 or -- 09:32	14 From what you're telling me is that you were 09:33
15 A. Going to get trash towards our home. Sorry. I 09:32	15 driving down Highway 19. You saw -- 09:33
16 didn't say it right. 09:32	16 A. 18. 09:33
17 Q. Okay. 09:32	17 Q. 18? 09:33
18 A. This is way over here (indicating) in Running 09:32	18 A. It's all right. 18. One-eight. 09:33
19 Springs. Our house is way over here (indicating). You 09:32	19 Q. You saw the officer that ultimately pulled you 09:34
20 got to go on 18 to go that way towards -- our customers 09:32	20 over -- 09:34
21 are all over where we live. 09:32	21 A. Bald head. 09:34
22 Q. Okay. Once again, the question is, What was 09:32	22 Q. You saw the officer that ultimately pulled you 09:34
23 your intended destination at the time? 09:32	23 over on the side of the road? 09:34
24 A. To pick up more trash. 09:32	24 A. The other side of the road. 09:34
25 Q. Where, sir? 09:32	25 Q. Okay. You passed him and you recognized this 09:34
Page 30	Page 32
1 A. I don't have the addresses right now. We have 09:32	1 person -- 09:34
2 multiple customers. Burrtec doesn't like that. 09:32	2 A. Yes. 09:34
3 Q. Okay. So at the time that you were pulled over 09:32	3 Q. -- as a person that had been -- 09:34
4 by a CHP officer, you were on your way to pick up more 09:32	4 A. Harassing us. 09:34
5 trash at a customer's home? 09:32	5 Q. -- parked and harassing you? 09:34
6 A. It harmed us. 09:32	6 A. Yeah. He towed our truck four months previous 09:34
7 Q. At a customer's house? 09:32	7 illegally. We won the case. The same guy. 09:34
8 (Simultaneous cross-talk.) 09:32	8 Q. So you see this CHP officer on the road. You 09:34
9 A. Inside their house. 09:32	9 continue down Highway 18. So at that point you 09:34
10 Q. At a customer location, yes. 09:32	10 determined that it was likely that the CHP officer was 09:34
11 A. Yeah. In their yards. That's what we do. 09:32	11 going to pull you over. 09:34
12 We're weed abatement. We've got numerous documents to 09:32	12 Is that what your testimony -- 09:34
13 prove that with the County. They know us very well. We 09:32	13 A. Absolutely. He'd been targeting us. I had 09:34
14 do all weed abatement out there and trash. You do the 09:33	14 already been telling people the highway patrol was 09:34
15 weed abatement, and then you take it to the dump. 09:33	15 targeting us. The reason was they were covering for 09:34
16 Q. Okay. 09:33	16 Burrtec -- 09:34
17 A. And you pick up their trash cans because the 09:33	17 Q. How -- 09:34
18 bears knock over cans and some people don't like the 09:33	18 A. -- our trash company -- 09:34
19 Burrtec trucks when they make a lot of noise -- 09:33	19 Q. How much further down Highway 18 did you 09:34
20 Q. Sir, I need you to stop because you're not -- 09:33	20 continue until you realized that the officer was 09:34
21 A. Okay. 09:33	21 attempting to pull you over by having his lights on? 09:34
22 Q. You've already answered the question. 09:33	22 A. Not long. I mean, I saw his lights turn on. 09:34
23 A. Sure. Sorry. 09:33	23 He was after us. He was -- he was parked there to get 09:34
24 Q. I need you to focus. 09:33	24 us. 09:35
25 A. Focus. 09:33	25 Q. Okay. 09:35
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1 A. I believe this wholeheartedly. 09:35	1 Do you understand that the officer that pulled 09:36
2 Q. All right. So you saw the lights and you -- 09:35	2 you over was Officer Bates; right? 09:36
3 A. We need to cover how he came up on us; right? 09:35	3 A. Yes. 09:37
4 I saw him in the rearview mirror going in the other lane 09:35	4 Q. Okay. So that way we can refer to him as 09:37
5 as if it was like a mass murder job; right? 09:35	5 Officer Bates. 09:37
6 Dangerously, getting everybody in the community in 09:35	6 A. The same guy that illegally towed my truck off 09:37
7 danger. I couldn't believe it. I knew he was going to 09:35	7 a private road months earlier. 09:37
8 get us, but I didn't think he would go at it like that. 09:35	8 Q. Okay. So Officer -- 09:37
9 Normally they turn the lights on and let people pull 09:35	9 A. I won that case. 09:37
10 over. 09:35	10 Q. Officer Bates at your window. 09:37
11 He went around -- it's in the video -- the 09:35	11 Tell me what the discussion is about? 09:37
12 other side of oncoming Highway 18 very fast, high speed 09:35	12 A. I mean, you guys have the audio. I'm sure it 09:37
13 with corners. Going around, going around. People, 09:35	13 was -- "do you know why we pulled you over?" He's cold 09:37
14 like, don't know where to pull over. I knew right away 09:35	14 as ice yelling. I get their authority. 09:37
15 he was after us. I was already pulling over before I 09:35	15 I said, "No, I don't." 09:37
16 realized he's coming. 09:35	16 He goes, "Well, we noticed -- I noticed that 09:37
17 Q. Okay. Do you know the location -- 09:35	17 one of your passengers doesn't have -- the fourth 09:37
18 A. It's -- it's a pullout. 09:35	18 passenger without a seat belt." 09:37
19 Q. Do you know what it's called? 09:35	19 Q. Okay. 09:37
20 A. It's not a very safe pullout either. This is 09:35	20 A. I go, "We do have a seat belt and this is legal 09:37
21 something I know. I have friends in the highway patrol. 09:35	21 in federal and California and every law." 09:37
22 I don't know the exact plot. It's on the GPS map. It 09:35	22 He goes -- I don't know what he said after 09:37
23 shows it on the video. I can get this for you. 09:35	23 that, but -- 09:37
24 Q. I just want to know if you know. If you don't 09:35	24 Q. Okay. 09:37
25 know the name, that's fine. 09:36	25 A. He goes, "We believe it has to be a factory" -- 09:37
Page 34	Page 36
1 All right. So you get pulled over. 09:36	1 "I believe" -- him -- "it has to be a factory-installed 09:37
2 A. I gave him the benefit of the doubt that he was 09:36	2 seat belt." 09:37
3 a good cop anyways. 09:36	3 And I told him, "No, it doesn't. I'm a 09:37
4 Q. Okay. 09:36	4 dealer." And I informed him that we're a trash company. 09:37
5 A. So I didn't film him immediately, which I 09:36	5 You don't even need seat belts. And the driver is never 09:38
6 should have. 09:36	6 responsible for a passenger in a commercial vehicle. 09:38
7 Q. Okay. So you pulled him over -- he pulls you 09:36	7 The driver is never, in any law for a commercial truck, 09:38
8 over. You pull over to the side of the road; right? 09:36	8 responsible for a passenger having a seat belt on or 09:38
9 A. Yes. 09:36	9 not. 09:38
10 Q. Okay. Does he come to your cab area of the 09:36	10 Q. Okay. While he's at the door -- 09:38
11 vehicle? 09:36	11 A. He lied to his supervisor. 09:38
12 A. I think he goes over to the passenger side. We 09:36	12 Okay. Go ahead. 09:38
13 roll the windows down because it's such a dangerous 09:36	13 Q. While he's at the door, at that point does he 09:38
14 place that we were pulled over at. 09:36	14 indicate to you he's going to cite you? 09:38
15 Q. Okay. So you rolled the window down and -- 09:36	15 A. No. He didn't at the time, no. 09:38
16 A. Pushed the button down. The same thing. 09:36	16 Q. Okay. 09:38
17 Q. Okay. And so he's on the passenger-side door; 09:36	17 A. I thought -- I tried to treat him good. He 09:38
18 right? 09:36	18 goes, "Can I have your driver's license, your 09:38
19 A. Which I didn't like. You know, he's over by my 09:36	19 registration, and proof of insurance." 09:38
20 kids. And I already knew this guy. I didn't trust this 09:36	20 So I said, "Move your hands slowly, guys. 09:38
21 guy. This is a bad cop in my opinion. 09:36	21 Could you get it out of the glovebox for me?" Right? 09:38
22 Q. Okay. And what do you recall of that initial 09:36	22 So my nice kid -- good, obedient, Godly people, don't 09:38
23 conversation with -- oh, wait. Let me rephrase. 09:36	23 have any criminal record -- took it out, gave it to him. 09:38
24 A. "Do you know why we pulled you over?" 09:36	24 He took it. Took my driver's license, put it on his 09:38
25 Q. Stop. 09:36	25 thing taking possession of all my stuff, goes back to 09:38
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1 his car because I informed him immediately that I used 09:38	1 say. That would have been a reasonable thing. He 09:40
2 to be a dealer. 09:39	2 didn't do that. 09:40
3 In fact we've had -- we know of many times 09:39	3 He's looking through his book. And I'm saying, 09:40
4 where people add seat belts. As long as they're 09:39	4 "What are we being charged with?" He would not tell me. 09:41
5 sufficient space, the law says it only needs to be two 09:39	5 I knew the law. You have to tell someone the charge. I 09:41
6 bolts. A bolt on each side. You can't use the same 09:39	6 was being nice. 09:41
7 bolt. But two bolts. 09:39	7 Q. I need you to -- I'm trying -- I'm trying to 09:41
8 So even though he knew, he wrote on his ticket 09:39	8 get the timeline. 09:41
9 that it was secured -- he used the word secure on the 09:39	9 A. I did answer it. 09:41
10 ticket. That my daughter was secured by a -- he put a 09:39	10 Q. So -- 09:41
11 non-factory seat belt. And he's a highway patrol. 09:39	11 A. After a while, waiting maybe 15 minutes. 09:41
12 Doesn't he know vehicles get crashed? This was a 09:39	12 Q. Okay. So you're in the cab? 09:41
13 salvaged vehicle before. 09:39	13 A. Yeah. 09:41
14 Q. Okay. 09:39	14 Q. The officer comes and you see -- gives you -- 09:41
15 A. People replace seat belts all the time. 09:39	15 has initial contact with you. 09:41
16 Q. So I understand you gave him your driver's 09:39	16 A. Gets our information. 09:41
17 license, proof of insurance -- 09:39	17 Q. Gets your information. Goes back to the 09:41
18 A. Yes. 09:39	18 vehicle. 09:41
19 Q. -- and registration? 09:39	19 And at no time did he come back to the vehicle? 09:41
20 A. He went back to his car. He's looking through 09:39	20 A. I don't think so. 09:41
21 his book finding a vehicle code infraction. He's trying 09:39	21 Q. Okay. You don't think so, or you don't 09:41
22 to get me. 09:39	22 remember? 09:41
23 Q. So how do you know he was looking at his book? 09:39	23 A. I know he didn't because -- I mean, he didn't. 09:41
24 A. Because I'm -- blessedly, you could say, I'm 09:39	24 He didn't come back. 09:41
25 older and I've sadly found out and learned that if you 09:39	25 Q. All right. 09:41
Page 38	Page 40
1 don't know the system, you're going to get taken 09:40	1 A. So here I'm waiting. My kids are hot. We need 09:41
2 advantage of. 09:40	2 to go to the bathroom. We're on a dangerous place. The 09:41
3 Q. Okay. 09:40	3 sun is beating down on us. Right? We're working hard. 09:41
4 A. But I knew that he was shady, luckily. People 09:40	4 We're doing trash. He goes back to his car and camps 09:41
5 wouldn't know this. I knew the codes. I knew the code 09:40	5 for 15 minutes. 09:41
6 section he was going to use does not state anything to 09:40	6 Q. Sir -- 09:41
7 do with the factory or non-factory seat belt. 09:40	7 A. He doesn't know the law. 09:41
8 Q. Okay, sir. I need you to focus. 09:40	8 Q. I need you to stop. 09:41
9 A. Oh, sorry. So I walked back to his car and 09:40	9 So he goes back. He does not -- so according 09:41
10 said, "Could you please read the code to me." 09:40	10 to your testimony, you don't recall whether or not he 09:41
11 Q. Okay. 09:40	11 came back to you? 09:41
12 A. I was trying to talk him out of giving me this 09:40	12 A. He didn't come back. He stayed in his car a 09:41
13 ticket. 09:40	13 long time. 09:42
14 Q. Before you walked back, had he come back to the 09:40	14 Q. Okay. So he's in his vehicle. 09:42
15 vehicle to you? 09:40	15 A. Looking for something to get me with. 09:42
16 A. No, I don't think so. I think he was in his 09:40	16 Q. At some point do you exit the vehicle? 09:42
17 car for a long time making me wait, flipping through a 09:40	17 A. Yes. 09:42
18 book this big (indicating). Right? I have it on video. 09:40	18 Q. Okay. 09:42
19 You can see how big it is. They should know it by 09:40	19 A. 15 to 20 minutes later. I was hoping he would 09:42
20 heart. This is highway patrol. They're supposed to 09:40	20 read the law and let us go. I think it's 2315 09:42
21 know the law. You're going -- if you're illegally 09:40	21 Section (c) seat belt law, California seat belt law. 09:42
22 detaining someone, you need to have a law. He should 09:40	22 Q. Okay. 09:42
23 have informed me right away, "You're being detained for 09:40	23 A. We were innocent. 09:42
24 suspected seat belt non-factory installation that was 09:40	24 Q. At some point you did ask for -- 09:42
25 installed but not properly," or whatever he's trying to 09:40	25 A. We did win the case. 09:42
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1 Q. At some point you did ask for his supervisor? 09:42	1 Q. Any other reasons? 09:44
2 Yes? 09:42	2 A. Okay. That's two reasons so far. 09:44
3 A. Yes. When he's sitting in his car making me 09:42	3 Third one, he wouldn't tell us the charge when 09:44
4 wait. 09:42	4 I asked him when he was still at the door. Maybe he did 09:44
5 Q. Okay. 09:42	5 come back a second time. Something happened where I go, 09:44
6 A. Please get his supervisor. 09:42	6 "What's the charge?" I was very concerned at that 09:44
7 Q. Why did you ask for his supervisor? 09:42	7 point. That's when I decided we need to start 09:44
8 A. Because he was quoting the law incorrectly and 09:42	8 filming -- right? -- when we wouldn't tell me the 09:44
9 he would not show his identification. The officer 09:42	9 charge. And then he finally tells me. He goes, "rrr, 09:44
10 refused to give me his business card. His nametag was 09:42	10 rrr, rrr." I couldn't even hear him. 09:44
11 folded over on video. That's pretty scary when you see 09:42	11 I'm like, "Are you quoting the seat belt law? 09:44
12 an officer with a gun. He'd already targeted us, 09:42	12 There's nothing in there anywhere -- I used to be a 09:44
13 factually. We have cases we won. His name was folded 09:42	13 dealer -- about seat belt, required factory." 09:44
14 over like this (indicating). It's on video. You guys 09:43	14 Q. Any other reasons you called his supervisor? 09:44
15 can see his part. 09:43	15 A. His behavior. He's cold as ice. He looked 09:44
16 Q. Okay. So -- 09:43	16 shady. I judge people. The Bible say you are to judge 09:44
17 A. You could not read it. I asked him to show me 09:43	17 people. Not to condemn them to hell. People can 09:44
18 his name. He still would not give me his name. 09:43	18 change. 09:44
19 Q. So just so I don't lose track, so the reason 09:43	19 Q. Okay. 09:44
20 you asked for a supervisor is that he was not 09:43	20 A. He looked dangerous. He was cold as ice. He 09:44
21 identifying himself? 09:43	21 was mean. I knew this was targeted. I mean, I knew it. 09:44
22 A. There was multiple reasons. There's a lot of 09:43	22 You could see it in his face. He was evil. You can 09:45
23 red flags. 09:43	23 tell a good cop from one that's just maybe having a bad 09:45
24 Q. Give me all the reasons why you asked for a 09:43	24 day, kind of pull people over and do what they're doing. 09:45
25 supervisor. 09:43	25 He was after me. He wanted to find a charge on me. He 09:45
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1 A. Just off memory, the most concerning by far is 09:43	1 was looking at everything, my truck. 09:45
2 when he showed up with this thing out my window like 09:43	2 Q. Okay. Any other reason -- 09:45
3 this and my kids are nearby him. 09:43	3 A. I'd have to look at my lawsuit. There were 09:45
4 Q. Okay. 09:43	4 several reasons. Let me think. 09:45
5 A. And I don't trust all cops. Yes. I believe in 09:43	5 So he wouldn't -- he didn't have a body camera 09:45
6 authority, but there's signs you look for. 09:43	6 on. I didn't think that was good. Apparently in that 09:45
7 Q. Nametag. What else? 09:43	7 office it's optional. You can wear one or not. In my 09:45
8 A. He's aggravated. He's highly -- he recklessly 09:43	8 experience you should be wearing one. It's required by 09:45
9 drove to pull over for a seat belt violation. Even if 09:43	9 sheriffs. I don't know why the highway patrol is giving 09:45
10 no one had a seat belt on, that's not the way you do it. 09:43	10 them an option. 09:45
11 You turn your lights on, get there, pull them over, and 09:43	11 Q. Any other reasons why? 09:45
12 give them a ticket for whatever if that's what you think 09:43	12 A. There's no video on him, and he was pulling me 09:45
13 it is. But you need to identify yourself. That's a 09:43	13 over. I knew it was a false ticket. His supervisor had 09:45
14 law. It's federal and state. It's in my document. 09:43	14 already pulled us over for the same thing and said we 09:45
15 Q. Okay. What other reasons? 09:43	15 were fine. We did nothing wrong. He checked the seat 09:45
16 A. His name is like this (indicating). I go, 09:43	16 belt. He understood the law. It did not need to be a 09:45
17 "What's your name?" He wouldn't give it to me. I knew 09:43	17 factory one. It's correct. It just needs to be a seat 09:45
18 it from seeing him all the times he pulled us over. 09:43	18 belt. It doesn't need to be a two-point seat belt. 09:45
19 Q. Okay. You've explained that. 09:43	19 Q. Any other reasons? 09:46
20 What other reasons did you -- 09:43	20 A. I think the harassment by far. By far it was 09:46
21 A. Number 1, the identification. 09:43	21 the harassment because as I said -- so here's the 09:46
22 Q. Okay. 09:44	22 biggest one, problem -- you asked the question. I'm 09:46
23 A. His behavior was reckless and dangerous. I 09:44	23 going to answer it. 09:46
24 didn't trust him as a cop. I like cops. I support 09:44	24 The biggest reason by far we're being targeted, 09:46
25 police. I mean, not all of them; right? 09:44	25 we have another case against Burrtec trash company. 09:46
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1 What do they do? The County -- we have a case against 09:46	1 mention the seat belt, it only needed to be a two-point 09:48
2 County Counsel as well. County Counsel, to go through 09:46	2 seat belt. 09:48
3 this slowly, has allowed and violated the Constitution 09:46	3 Q. So it was important to you -- 09:48
4 saying that Burrtec is the only people that can dump 09:46	4 A. Safety for sure. 09:48
5 trash -- 09:46	5 Q. -- to -- 09:48
6 Q. Okay. Sir -- 09:46	6 A. I don't think he should be a cop anymore. 09:48
7 A. -- in our area. 09:46	7 Q. Let me finish my question. 09:48
8 (Simultaneous cross-talk.) 09:46	8 So it was important for you to have his 09:48
9 Q. Sir, I need you to focus. We're not talking 09:46	9 supervisor there so you could explain to his supervisor 09:48
10 about -- 09:46	10 why Officer Bates had pulled you over unlawfully, had -- 09:48
11 A. This is relevant why he pulled me over. 09:46	11 A. Have you ever seen that before? 09:48
12 Q. -- a collateral lawsuit. 09:46	12 Q. -- and -- sir -- and what he was going to cite 09:48
13 So you believe, then, another reason you asked 09:46	13 you -- 09:48
14 for a supervisor is because Christopher Bates -- Officer 09:46	14 A. The police officer is like this (indicating). 09:48
15 Bates was targeting you -- 09:46	15 Q. Let me restart the question, sir. Let me ask 09:48
16 A. Absolutely targeting -- 09:46	16 the question. 09:48
17 Q. -- because -- 09:46	17 A. There was multiple reasons. You're only naming 09:48
18 A. -- as I told his boss. 09:46	18 a few. You're kind of minimizing everything I said. 09:48
19 Q. Did Officer Bates indicate to you that he would 09:46	19 Q. I'm asking you -- 09:48
20 call his supervisor? 09:46	20 A. Everything I said. 09:48
21 A. He was reluctant, but, yeah, he did. I was 09:46	21 Q. -- if you -- let me ask my question, sir. 09:48
22 strong about it. I'm "Hey, we need a supervisor. This 09:46	22 I'm asking you, it was important for you to 09:48
23 is an illegal detainment. This is an illegal charge." 09:47	23 ensure that Officer Bates' supervisor was there so you 09:49
24 His nametag is folded over. I wanted to wait until his 09:47	24 could explain to the supervisor how Officer Bates was 09:49
25 supervisor got there to really explain it so he could be 09:47	25 unlawfully detaining you? 09:49
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1 a witness. He didn't have a body camera either. 09:47	1 A. And all the things I said previously. 09:49
2 Q. Okay. So you wanted the supervisor there so -- 09:47	2 Q. Right. 09:49
3 to explain why Officer Bates was -- 09:47	3 And how the citation that he was attempting to 09:49
4 A. Illegally detaining me and my family. 09:47	4 give you was -- 09:49
5 Q. Okay. All right. Any other reason why you 09:47	5 A. The office was not very far away as well. It 09:49
6 wanted Officer Bates (sic) there? 09:47	6 should have been quick. Right? Highway 18 is where the 09:49
7 A. For safety. For safety. 09:47	7 headquarters is where his sergeant came from; right? 09:49
8 Q. Okay. 09:47	8 Very quick drive. 09:49
9 A. Intelligently, people should know this. If you 09:47	9 Q. Sir, I'm asking you reasons why you wanted his 09:49
10 don't trust a cop, his attitude, you need another 09:47	10 supervisor there. 09:49
11 sheriff there to see his demeanor and to check on him 09:47	11 A. All the things I said. I'm not going to say 09:49
12 and say, "Why are you pulling this person over?" 09:47	12 just the things you're saying because it was all the 09:49
13 Q. You know, I realize I said Officer Bates. I 09:47	13 things I said was important. 09:49
14 meant to say his supervisor. 09:47	14 Q. So all those reasons that you had just 09:49
15 That was the reason why you wanted his 09:47	15 mentioned that I asked you were the reasons for -- you 09:49
16 supervisor, for safety reasons as well? 09:47	16 wanted his supervisor there and you wanted to ensure 09:49
17 A. For safety for sure. That was number one, 09:47	17 that the supervisor understood those things; right? 09:49
18 safety. Anybody should know. When an officer is coming 09:47	18 A. Well, yeah. Of course. But I didn't want to 09:49
19 up aggro, his demeanor, his blood pressure for something 09:47	19 waste his time, so I kept it more minimal with him. I 09:49
20 not -- not matching -- if someone's recklessly driving, 09:47	20 respect the officer. I thought he would be a good 09:49
21 has a warrant for theft, some type of felony thing going 09:47	21 sergeant and go -- I thought he would read the law and 09:49
22 on, they're going to be that way. But when you're 09:48	22 say, "Okay. This is what you pulled them over for, but 09:49
23 talking about a seat belt, which is not even required in 09:48	23 you literally said on your ticket they did have a seat 09:49
24 every -- in every state even. And federal law says -- 09:48	24 belt on. But you gave them a ticket for no seat belt 09:50
25 it doesn't mention the seat belt. But when it does 09:48	25 for the driver." California law says you have to give 09:50
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1 the ticket to the passenger. But he wanted to target 09:50	1 no seat belt on. People just aren't informed of this. 09:51
2 me. 09:50	2 What they say is "Well, we only enforce 09:51
3 Q. So when -- 09:50	3 California law," which circumvents -- they swore and 09:51
4 A. They don't care about my daughter. They want 09:50	4 oath to the constitution. The federal law says -- 09:52
5 to get me. I'm the Bible translator. 09:50	5 Q. All right, sir. 09:52
6 Q. Okay. So when the supervisor whose name is 09:50	6 A. -- you only have to have a two-point, which you 09:52
7 Jeffrey O'Brien -- 09:50	7 can't see from driving; right? 09:52
8 A. Uh-huh. 09:50	8 The lap belt is down here (indicating). You 09:52
9 Q. -- arrived at the scene, you proceeded to 09:50	9 don't have to have a three-point. He was misinformed. 09:52
10 explain to him why Officer Bates had wronged you? 09:50	10 He thought everybody had to have a three-point harness. 09:52
11 A. Illegally detained us. He goes, "Well, it 09:50	11 Q. Right. 09:52
12 wasn't illegal." 09:50	12 But what you just told me is what you were 09:52
13 I'm like -- well, for the sake of being 09:50	13 trying to explain to Sergeant Bates (sic) at the scene; 09:52
14 peaceful, I get that people can pull -- still giving the 09:50	14 right? 09:52
15 benefit -- just like you. I respect people. You're 09:50	15 A. All these things. It was, like, five different 09:52
16 not -- you work for the attorney general, but I think 09:50	16 ways we were innocent. It was interesting. It was the 09:52
17 it's way cool. 09:50	17 most innocent you could ever be. I never had these many 09:52
18 But people are not always as shady as they may 09:50	18 different angles. 09:52
19 be, in my view. But I could be wrong. There's a 09:50	19 I mean, one, we're a trash company. Right 09:52
20 one percent chance that this was a legitimate stop and 09:50	20 there he should have let us go. "Oh, you're a trash 09:52
21 the sergeant's going to correct this and let us go on 09:50	21 company." That was my point. He knew we were a trash 09:52
22 our way. 09:50	22 company, and he still pulled us over. 09:52
23 Q. So Sergeant O'Brien arrived at the scene. 09:50	23 When his sergeant showed up, he had our card. 09:52
24 A. I was very disappointed. 09:50	24 We've worked for him. We dumped trash and moving for 09:52
25 Q. But you -- 09:50	25 him and stuff. We liked him. We thought he was a good 09:52
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1 A. He knew us. He knew us. 09:50	1 police officer; right? We thought, "Oh, great. He's 09:52
2 Q. Okay. You had an opportunity -- 09:50	2 here." 09:52
3 (Simultaneous cross-talk.) 09:50	3 We find out he's his buddy. He says it on the 09:52
4 A. For him. 09:50	4 recording. "This is my personal friend." I was, like, 09:52
5 Q. You had an opportunity to speak to Sergeant 09:50	5 that's it. That's not good. How is that good? 09:52
6 O'Brien; right? 09:51	6 So he chose -- he had a decision to make. He 09:52
7 A. Yes. 09:51	7 could have, A, said, "Let him go. I've pulled him over 09:52
8 Q. And during this time you were able to explain 09:51	8 previously." The same guy, he pulled us over as well. 09:53
9 to Sergeant O'Brien why you were, I guess, upset? 09:51	9 He checked. He saw the seat belt was legally sufficient 09:53
10 A. I was illegally detained. 09:51	10 by federal law, two-point. He even pulled on it and 09:53
11 Q. You were upset? Yes? 09:51	11 checked previously. He said, "We're good. We're good 09:53
12 A. Was I upset? Not that upset because I don't 09:51	12 to go." He let us go. Hey, trust the system. It was 09:53
13 want to get upset. I try to stay calm. I don't want to 09:51	13 all good. 09:53
14 be upset at people -- we don't know for sure what 09:51	14 He shows up, already knows the same thing. He 09:53
15 they're doing exactly. Only God knows, and a judge and 09:51	15 should have -- he should have said, "I know these guys. 09:53
16 jury can figure it out. 09:51	16 They're good people. They didn't have any other things 09:53
17 Q. So while you're at the scene when you were 09:51	17 going on. Registration good," da, da, da, da. 09:53
18 speaking to Sergeant O'Brien you were explaining to him 09:51	18 Q. All right. 09:53
19 why you believed that -- 09:51	19 A. "Let them go. They're a trash company. I know 09:53
20 A. Everything was wrong and all the reasons we 09:51	20 they're a trash company. They worked for me." And I 09:53
21 were innocent. Multiple reasons. I mentioned the 09:51	21 showed him the receipt we just got from the dump with 09:53
22 federal law that says you only need -- I had it all 09:51	22 the date and time on it. 09:53
23 memorized. A two-point harness is all that is required. 09:51	23 Q. So when you were at the scene, then, you 09:53
24 That's what's there. That a trash company does not have 09:51	24 ensured to take the time to explain to Sergeant O'Brien 09:53
25 to have a seat belt on anyways. We all could have had 09:51	25 all these things; right? 09:53
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1 A. They're always -- they want -- they rush. 09:53	1 They're supposed to be on real calls: violence, traffic 09:55
2 Q. But -- 09:53	2 accidents, stolen cars, shootings. Not a seat belt. 09:55
3 A. I didn't have time to tell them everything. I 09:53	3 Q. So let's go back to -- 09:55
4 told you I kept it very simple because I don't need to 09:53	4 A. That we won the case on. 09:55
5 go into that. It's not my job to fight and argue with 09:53	5 Q. Let's go back to the initial contact with 09:55
6 police. I said, "This is not good. I will have to sue 09:54	6 Officer Bates. 09:55
7 you guys." 09:54	7 So you just rolled down the window at that 09:55
8 He goes, "That's the right way to do it. Bring 09:54	8 point; right? 09:55
9 it to court." 09:54	9 A. Well, that's -- that's what you do in traffic 09:55
10 I'm not going to get mad at you guys. I'm not 09:54	10 stops. You put your hands on the steering wheel so they 09:55
11 going to yell at you. I think it's very concerning your 09:54	11 don't shoot you. You don't reach for a gun. I don't 09:55
12 supervisor and your officer has no nametag showing. 09:54	12 have any guns, but you don't want to give them any 09:56
13 Even I asked him, "Can you please have him identify 09:54	13 reason. You want to be calm, don't act agitated, these 09:56
14 himself." He didn't do anything. He made no effort to 09:54	14 things. 09:56
15 get his -- whatever you call it -- the one under him to 09:54	15 Q. Did Sergeant -- I'm sorry. 09:56
16 comply. 09:54	16 A. Officer. 09:56
17 He should have said, "Take your -- fold your 09:54	17 Q. Did Officer Bates reach into your vehicle? 09:56
18 thing right." Refused to give me a business card even 09:54	18 A. At that point, no. 09:56
19 in his car. Even there. At the end he goes, "At the 09:54	19 Q. Yes. 09:56
20 end his name will be on the ticket." 09:54	20 A. Later. He illegally enters our vehicle later. 09:56
21 Q. So you -- 09:54	21 Q. Hold on. 09:56
22 A. That's not the proper identification policy. 09:54	22 A. We're going to get to that? It's up to you. 09:56
23 Q. While you were at the scene, though, you 09:54	23 Q. Hold on. I'm trying to get the scene. 09:56
24 ensured that you were going to tell Sergeant O'Brien 09:54	24 So at that point he didn't try to enter your 09:56
25 these things; right? 09:54	25 vehicle in any way? 09:56
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1 A. I'm not going to ensure anything. It's not my 09:54	1 A. Not at that point, no. 09:56
2 job to force -- 09:54	2 Q. So later on -- 09:56
3 Q. No. No. 09:54	3 A. I don't know. My window is down. He reaches 09:56
4 A. I told him slowly. 09:54	4 to grab the stuff. But at that point I presume he was 09:56
5 Q. But at the scene -- 09:54	5 legit. 09:56
6 A. Whatever you want to say. 09:54	6 Q. Okay. So the door wasn't open at that point; 09:56
7 Q. At the scene -- 09:54	7 right? 09:56
8 A. At the scene. 09:54	8 A. No. 09:56
9 Q. -- you -- 09:54	9 Q. It was just the window; right? 09:56
10 A. After waiting forever. 09:54	10 A. Right. 09:56
11 Q. You made sure that Officer O'Brien understood 09:54	11 Q. Okay. The information is handed over to him; 09:56
12 that -- 09:54	12 right? 09:56
13 A. There's no making sure. He -- 09:54	13 A. Correct. 09:56
14 Q. No. Let me ask you. 09:55	14 Q. Okay. Did he attempt to look inside your 09:56
15 A. Just like you're -- 09:55	15 vehicle at that point? 09:56
16 Q. You ensured -- 09:55	16 A. I don't know that. I mean, they always do. 09:56
17 THE COURT REPORTER: I'm sorry. You guys are 09:55	17 Q. Okay. So at that point -- 09:56
18 talking too much over each other. I can't get it. 09:55	18 A. They look for drugs. We don't have any drugs, 09:56
19 BY MR. HERNANDEZ: 09:55	19 but they look for stuff. And it's reasonable to look 09:56
20 Q. Yeah. You need to slow down. 09:55	20 around for a weapon or something. It's allowed by law 09:56
21 So at the scene you made sure that you 09:55	21 to look in from the outside, but not to enter the 09:56
22 expressed your belief that -- to Sergeant O'Brien that 09:55	22 vehicle, which he does illegally later. 09:57
23 Officer Bates was in the wrong? 09:55	23 Q. Okay. So -- 09:57
24 A. Quickly. I did it very quickly because I don't 09:55	24 A. Looking is different than entering a vehicle 09:57
25 want to hold them up. They're important people. 09:55	25 without permission. 09:57
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1 Q. And when he entered the vehicle later, was that 09:57	1 Q. Okay. 09:59
2 on videotape? 09:57	2 A. They have a book. They write down your 09:59
3 A. They're the defendants. No, I don't think it 09:57	3 driver -- your license plate. 09:59
4 was. Because we were trying to go, "Hey, he's 09:57	4 Q. Mr. Macy, I need you to stop for a second. 09:59
5 misinformed, he's going to find out we're legit, and let 09:57	5 A. He didn't do this. 09:59
6 us go." 09:57	6 Q. Okay. I'm just trying to get the timeline. 09:59
7 Q. Okay. I want to get the timeline here you're 09:57	7 A. Sure. 09:59
8 telling me. 09:57	8 Q. I'm going to ask you some specific questions. 09:59
9 So after Officer Bates returns to the vehicle, 09:57	9 So he's back in his vehicle. Then you get out 09:59
10 at some point you get out of the vehicle and walk over 09:57	10 at some point. You go over to his vehicle. And at that 09:59
11 to -- 09:57	11 point you're videotaping; right? 09:59
12 A. To help him out. 09:57	12 A. Yes, I was videotaping. 09:59
13 Q. -- his vehicle; right? 09:57	13 Q. So had he returned back to your vehicle after 09:59
14 A. He didn't know the code. I was going to give 09:57	14 he left after the initial encounter? 09:59
15 him the section. 09:57	15 A. He might have. He might have came back. 09:59
16 Q. Okay. 09:57	16 Q. Okay. 09:59
17 A. He's looking for a -- he didn't even -- this is 09:57	17 A. I mean, he probably did. 09:59
18 how bad this ticket was. They really only do a few 09:57	18 Q. Okay. 09:59
19 things. You get speeding tickets. You get DUIs. I 09:57	19 A. Probably did. 09:59
20 mean, it's not a hard job. You think -- there is a big 09:57	20 Q. So let's say that he did. 09:59
21 book, but they really only give about five of the same 09:57	21 At that point did he open the door and look 09:59
22 tickets all day long. Right? Here's for the seat belt, 09:57	22 into the vehicle? 09:59
23 which is the passenger. 09:57	23 A. Not at that point. 09:59
24 Q. Right. 09:57	24 Q. Okay. So then it was only after you talked to 09:59
25 A. Not the driver. He illegally -- I want to make 09:57	25 him while he was flipping through the book -- it was 09:59
Page 58	Page 60
1 sure it's on record. 09:58	1 sometime after that that he entered your vehicle; right? 09:59
2 Q. So I'm just trying to get -- 09:58	2 A. It was after, yes. 09:59
3 A. Factually the judge ruled that I was innocent 09:58	3 Q. Okay. So that means -- 09:59
4 of the traffic ticket, so factually it was an illegal 09:58	4 A. He should not have entered the vehicle ever. 09:59
5 stop. 09:58	5 They knew us. We don't do drugs. We're a Christian 09:59
6 Q. So when you go to talk to Officer O'Brien 09:58	6 organization. We're well known in the community. 10:00
7 because he's in his vehicle, are you videotaping at that 09:58	7 Famous Bible translator. Why are you going in the 10:00
8 point? 09:58	8 truck? We don't have drugs in our truck. What if my 10:00
9 A. Yeah. Because when I realize he's making us 09:58	9 kids -- people don't want to be dealing with cops. 10:00
10 wait and there was -- this is not making sense. I have 09:58	10 Q. Mr. Macy -- 10:00
11 wisdom. A traffic stop should take about five minutes 09:58	11 A. If you're not in a high-risk situation, they 10:00
12 factually. They go up to your window if it's a normal, 09:58	12 should leave people alone. 10:00
13 not high risk, and they say, "Please roll your window 09:58	13 Q. Mr. Macy, I'm trying to get through this so you 10:00
14 down. Give me your registration." 09:58	14 can get going as -- 10:00
15 The dumb thing they usually ask is, "Do you 09:58	15 A. Thank you. 10:00
16 know why you're doing something illegal?" 09:58	16 Q. But you keep talking and you answer the 10:00
17 A lot of people say, "Yeah" or whatever. 09:58	17 question, and then you add some more. But I want you to 10:00
18 But anyways you give him all that stuff. He 09:58	18 focus. Okay? 10:00
19 tells you why he pulled you over after that. He goes, 09:58	19 A. I -- 10:00
20 "I pulled you over because you're speeding. I pulled 09:58	20 Q. I'm just trying to get a timeline here. 10:00
21 you over because you don't have a seat belt. I pulled 09:58	21 A. I want to go too. 10:00
22 you" because of some reason. 09:58	22 Q. Okay. So just so we have a timeline, so 10:00
23 Q. All right. Just so I understand -- 09:58	23 initial -- the initial encounter. He goes back to his 10:00
24 A. Then they give you a ticket right there. They 09:58	24 vehicle -- 10:00
25 don't even have to go back to their car. 09:59	25 A. He probably comes back again. 10:00
Page 59	Page 61

1	Q. Okay. He probably comes back again.	10:00	1	A. It's an easy case. You have video. We have	10:02
2	A. He probably tries to give me a ticket. "I want	10:00	2	video.	10:02
3	to talk to your supervisor."	10:00	3	Q. Okay.	10:02
4	Q. Right.	10:00	4	A. Yours got edited illegally. I have not	10:02
5	A. That seems reasonable.	10:00	5	received it. Is this the video finally?	10:02
6	Q. Okay. Then he goes back --	10:00	6	Q. No. This is your video. This is a copy of	10:02
7	A. He goes back. Camps in his car forever.	10:00	7	your video --	10:02
8	Q. Okay. And it's at that point you start	10:00	8	A. Ours?	10:02
9	videotaping; right?	10:00	9	Q. -- that I'm going to show you.	10:02
10	A. Probably.	10:00	10	Can we go off the record for a second.	10:02
11	Q. Okay. So you're -- when you're videotaping	10:00	11	A. You guys still have not provided to me, that I	10:02
12	him, you're talking to him while he's in the vehicle;	10:00	12	asked for in the interrogatory, in the request for	10:02
13	right?	10:00	13	documents.	10:02
14	A. I think we started outside.	10:00	14	Q. All right, sir. We've been going about an	10:02
15	Q. Okay. But at some point --	10:00	15	hour. I would like to take a break now so we all calm	10:02
16	A. Outside. Not in his car.	10:00	16	down.	10:02
17	Q. Okay. So that would seem to indicate to me	10:00	17	Oh, regarding that invoice, I will get that.	10:02
18	then once you started videotaping him, you continued	10:01	18	We have 30 days from the day you send it to us. I will	10:02
19	until the end of the stop; right?	10:01	19	get it to you.	10:02
20	A. Yeah. Towards -- well, towards the -- until he	10:01	20	A. I'm trying to get you to get it to me to show	10:02
21	told us to get in the car.	10:01	21	they edited the video.	10:02
22	Q. Okay. So take a look --	10:01	22	Q. I will get it to you. I will get it to you.	10:02
23	A. We're missing the timeline before I start	10:01	23	A. I'd think you would want to know this. I hope.	10:02
24	videotaping and afterwards. Right? How long we were	10:01	24	You're a Godly attorney general.	10:02
25	totally there.	10:01	25	THE VIDEOGRAPHER: Watch out for your cord.	10:02
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1	Q. Right.	10:01	1	THE WITNESS: See, this is better like this.	10:02
2	A. It was a long stop. We have documents to show	10:01	2	THE VIDEOGRAPHER: Okay. Are we ready to go	10:02
3	the time. Over an hour.	10:01	3	off the record?	10:02
4	Q. So your YouTube video that we've already	10:01	4	MR. HERNANDEZ: Yes.	10:02
5	discussed that was, you know, a reference --	10:01	5	THE VIDEOGRAPHER: The time is 10:01 a.m. We	10:02
6	A. I hoped you'd be on my side, to be honest.	10:01	6	are now off the record.	10:02
7	You're a sworn officer. You have to be Godly. Attorney	10:01	7	(Recess taken from 10:01 a.m. until 10:09 a.m.)	10:04
8	general right here. This is a good guy.	10:01	8	THE VIDEOGRAPHER: The time is 10:09 a.m. We	10:09
9	Q. Sir, according to the YouTube video and me	10:01	9	are now back on the record.	10:10
10	having watched this video, this video is approximately	10:01	10	BY MR. HERNANDEZ:	10:10
11	27 minutes and 10 seconds.	10:01	11	Q. Mr. Macy, we are back on the record, so just	10:10
12	A. That's after waiting in the car forever. And I	10:01	12	understand that you're still under oath.	10:10
13	go, "This is not okay."	10:01	13	Do you understand that?	10:10
14	Q. Right.	10:01	14	A. Yes.	10:10
15	A. I informed him, "You can't hold us this long.	10:01	15	Q. Okay. And all right. So I want to turn our	10:10
16	This is not okay."	10:01	16	attention to Exhibit F, which is the YouTube video which	10:10
17	Q. Right.	10:01	17	has been posted, that's noted in Exhibit E.	10:10
18	So then the time that he looked into your	10:01	18	A. Exhibit F.	10:10
19	vehicle you said, sir --	10:01	19	Q. That's been noted on the --	10:10
20	A. Later.	10:01	20	A. Oh, sorry.	10:10
21	Q. -- would have been on the videotape; right?	10:01	21	Q. -- Exhibit E.	10:10
22	A. I'm sure it would have been.	10:01	22	(Defendants' Exhibit F was marked for	10:10
23	Q. Okay. Perfect.	10:02	23	identification and is attached hereto.)	10:10
24	A. You have it.	10:02	24	BY MR. HERNANDEZ:	10:10
25	Q. All right.	10:02	25	Q. I just want to get some quick background.	10:10
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1	What kind of cell phone was this video taken	10:10
2	on?	10:10
3	A. Right here. My phone.	10:10
4	Q. Do you know what type of phone that is?	10:10
5	A. Samsung Galaxy Note 10, I think. It's not a	10:10
6	weapon.	10:10
7	Q. Okay.	10:10
8	A. That's the reason they said I -- the sergeant	10:10
9	said I couldn't record. He thought this was a weapon.	10:10
10	Q. Sir --	10:10
11	A. It's a battery on top of the phone. It's	10:10
12	relevant.	10:11
13	Q. So my understanding is that you initially	10:11
14	started to record and then during the time that you were	10:11
15	recording, at one point you gave the cell phone to one	10:11
16	of your children; right?	10:11
17	A. Yeah. I was forced to. I was ordered to.	10:11
18	Q. Okay.	10:11
19	A. It was lawful command. He's a sergeant. Not	10:11
20	just an officer. He's a sergeant. Very expected to be	10:11
21	professional and know the laws of the state of	10:11
22	California and federal law. You are allowed -- in fact	10:11
23	to video-record an officer is why the law exists. It's	10:11
24	not for any other reason. I bet you already know it by	10:11
25	heart, I'm sure.	10:11
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1	Every citizen has a right involving officers	10:11
2	and the public to record an officer. So I was doing	10:11
3	that peacefully. Held it like this (indicating).	10:11
4	Didn't hold it -- I wasn't acting -- I like police. My	10:11
5	board of directors is a sheriff. You know, we believe	10:11
6	in law and order.	10:11
7	Q. Okay.	10:11
8	A. We tried to get him to not harass us. Right?	10:12
9	So we're just filming peacefully. I'm filming.	10:12
10	Q. Just so I have it on the record, you had	10:12
11	indicated just now you were holding your phone kind of	10:12
12	like breast, about the size of your chest?	10:12
13	A. That's how the police do it.	10:12
14	Q. -- in --	10:12
15	A. The exact same way.	10:12
16	Q. -- in what we would call portrait mode up and	10:12
17	down; right?	10:12
18	A. This is not -- this is not a weapon style.	10:12
19	It's some type of -- he knew us. The sergeant knew we	10:12
20	were good. He even told this guy, "These are good	10:12
21	family people."	10:12
22	Q. Okay.	10:12
23	A. We didn't come across as threatening.	10:12
24	Q. I had asked you earlier and you agreed that	10:12
25	you -- at one point you provided the phone to one of	10:12
Page 67		
1	your children to continue the videotape?	10:12
2	A. That's not the right wording. That's not	10:12
3	proper.	10:12
4	Q. You indicated you were ordered?	10:12
5	A. The sergeant said, "You cannot film because	10:12
6	why" -- or he goes, "Could you set" -- this is why it	10:12
7	was another red flag. This is really bad. The first	10:12
8	guy is shady. Not the second guy, which I thought was a	10:13
9	good guy. Right?	10:13
10	He goes, "You guys, can you please set your	10:13
11	phone down." Now, what does that normally mean in law	10:13
12	enforcement? You're getting arrested. You got to put	10:13
13	all your stuff down. They're arresting you. Right?	10:13
14	That's why you put it down. There's no logical reason.	10:13
15	This is not -- so later I was smart, while I was	10:13
16	backing, to hand it to my son. Right?	10:13
17	Q. Okay.	10:13
18	A. I go, "Can I give it to my son?"	10:13
19	He goes, "Yeah."	10:13
20	Q. Okay. So --	10:13
21	A. I was smart. On the way walking over to my	10:13
22	son, I turned around and said, "Why -- why can't I	10:13
23	record you?"	10:13
24	He goes, "Because that could be a weapon."	10:13
25	This cell phone with the battery on it.	10:13
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1	Q. Okay.	10:13
2	A. It's not a taser. It's not anything dangerous.	10:13
3	I'm not a dangerous person. I have no violence in my	10:13
4	background. I don't have a threat towards any police.	10:13
5	I love everybody. Even shady people still change. I	10:13
6	deal with dangerous people all the time. That's what we	10:13
7	do. We still believe in forgiveness and change.	10:13
8	Q. Mr. Macy --	10:13
9	A. So I handed it to him. I said, "Please record	10:14
10	for me, Josiah."	10:14
11	Q. What's the name of the son you gave the --	10:14
12	A. Josiah Macy. Who I'm blessed to have -- if I	10:14
13	didn't have him there, I would have no film, guys. We	10:14
14	would have no proof that the officer had identification	10:14
15	folded over, refused to give me his name.	10:14
16	Q. So then --	10:14
17	A. We would have no evidence.	10:14
18	Q. So at that point --	10:14
19	A. We would have lost our case.	10:14
20	Q. At that point, then, you gave it to your son,	10:14
21	and he continued recording until the end of the video?	10:14
22	A. I told him. He knows. I said, "You need to	10:14
23	record." He knew my life was in jeopardy.	10:14
24	Q. Okay. I'm trying to establish who recorded	10:14
25	when. Okay?	10:14
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1	Initially you started recording. You were	10:14
2	asked by the officer to provide it to your son.	10:14
3	A. Sergeant.	10:14
4	Q. Or the sergeant. I'm sorry.	10:14
5	The sergeant --	10:14
6	A. He didn't ask. He commanded. Officers don't	10:14
7	ask, "Hey --	10:14
8	Q. Sir --	10:14
9	A. -- you like the weather?"	10:14
10	No. They go, "Put the phone down."	10:14
11	Q. So I might have used the wrong word. So let	10:14
12	me restart --	10:14
13	A. And then they handcuff you. That's the normal	10:14
14	thing. Do you think I was concerned?	10:15
15	Q. Mr. Macy --	10:15
16	A. For my daughter having a seat belt on they	10:15
17	didn't think was sufficient.	10:15
18	This is out of control. I hope you would	10:15
19	investigate this.	10:15
20	Q. Mr. Macy, you initially were videotaping.	10:15
21	The sergeant then commanded you to give it to	10:15
22	your son?	10:15
23	A. Commanded. Gave an order -- a lawful order is	10:15
24	the proper wording. It's called a lawful -- he	10:15
25	believed it was lawful. I believed it was unlawful.	10:15
		Page 70
1	Q. Okay. So then at that point, then, you gave it	10:15
2	to your son Josiah?	10:15
3	A. Yes. I was smart, intelligent. I'm not	10:15
4	going -- if I were to obey his command completely, we	10:15
5	would not have a case. You guys would have got away	10:15
6	with harassing me and my family for over an hour that	10:15
7	we won in court.	10:15
8	You made us go all the way down the hill, go	10:15
9	through a two-day trial, and the judge -- I didn't even	10:15
10	have to finish it off. Didn't even get to the rest of	10:15
11	my evidence -- said, "This" -- he told the officer, "Was	10:15
12	this an illegal ticket? Did you fill in the wrong box?"	10:15
13	And he goes, "Yeah."	10:15
14	Well, then he explained it to him, "This box --	10:15
15	this box that you filled in on the ticket is for a	10:16
16	passenger. You got Jeff Macy in court, a famous Bible	10:16
17	translator who gives people his life for free. And	10:16
18	guess what? Do you want to dismiss this ticket?"	10:16
19	Q. Mr. Macy, I was asking who was videotaping. I	10:16
20	didn't finish my question.	10:16
21	A. Okay.	10:16
22	Q. So Josiah, then, once he took the cell phone,	10:16
23	videotaped it until the end of the stop; right?	10:16
24	A. Until the end. They said, "Get in your car."	10:16
25	Q. Okay. Once you got in the vehicle --	10:16
		Page 71
1	A. They said it very intimidating. He said, "Get	10:16
2	in your car." What are you supposed to do? Get in your	10:16
3	car. That's what we do. We obey the law.	10:16
4	Q. Okay.	10:16
5	A. "Get in your truck." Sorry.	10:16
6	Q. So then you videotaped it first and then your	10:16
7	son and no one else; right?	10:16
8	A. That's correct.	10:16
9	Q. Okay. Thank you.	10:16
10	A. The cars were supposed to have cameras on them.	10:16
11	You asked a question. I have the right to answer it.	10:16
12	You said no one else. Well, the cars were supposed to	10:16
13	have cameras on them.	10:16
14	Q. No one else used your phone to videotape;	10:16
15	right?	10:16
16	A. The main officer who pulled me over illegally,	10:16
17	his got edited and deleted. There's sections deleted	10:17
18	out of the time. You can see it. We've checked it many	10:17
19	times over on the video. Why would he delete what was	10:17
20	said out there?	10:17
21	Q. Okay. Once again, I just want to establish who	10:17
22	used your cell phone.	10:17
23	A. I need to answer -- you said did anyone else	10:17
24	film. I need to answer that. At the end of the traffic	10:17
25	stop --	10:17
		Page 72
1	Q. Mr. Macy, you need to stop.	10:17
2	A. Okay.	10:17
3	Q. Okay. I've never raised my voice in a	10:17
4	deposition before, but I need you to stop so I can ask	10:17
5	the question, please.	10:17
6	A. You're getting awfully close to me.	10:17
7	Can you document that?	10:17
8	Q. It's on the videotape.	10:17
9	Sir -- sir --	10:17
10	THE WITNESS: You need to be calmer.	10:17
11	MR. HERNANDEZ: Can we go off the record.	10:17
12	THE WITNESS: He's not being filmed, sir. He	10:17
13	needs to be on the thing. He's yelling at me with his	10:17
14	hand like this in my face telling me to stop. He's	10:17
15	yelling it. This is very important. I need this -- I	10:17
16	need this documented. He needs to be on there with his	10:17
17	hand in my face like this (indicating). He's	10:17
18	representing the highway patrol.	10:17
19	THE VIDEOGRAPHER: Okay.	10:18
20	THE WITNESS: You can't get in my face. His	10:18
21	hand is this far (indicating) across the table in my	10:18
22	face. That's threatening. He's yelling at me, "You	10:18
23	need to stop." That's what he's saying. I'm not saying	10:18
24	that to anybody. He doesn't let me finish answering the	10:18
25	question. He needs to be filmed. I'm asking you nicely	10:18
		Page 73

1 to film his behavior. You need to put that back where 10:18	1 A. I see it. I did look. 10:23
2 we're both on camera, please. 10:18	2 Q. All right. As far as your understanding, this 10:23
3 THE VIDEOGRAPHER: Okay. Are we ready to go 10:18	3 is the videotape that was part of the incident that I 10:23
4 off the record? 10:18	4 pulled from YouTube? 10:23
5 THE WITNESS: Or stop this recording and go to 10:18	5 A. I would have to look to be accurate. I need to 10:23
6 court and say you do not -- I don't believe this is safe 10:18	6 view that video. I'm going to ask. 10:23
7 right now. His behavior is unsafe. Factually he's 10:18	7 Q. I'm going -- 10:23
8 yelling -- 10:18	8 A. Because you guys edited the other one that you 10:23
9 MR. HERNANDEZ: Mr. Macy -- 10:18	9 didn't let me finish talking about. 10:23
10 THE WITNESS: -- with his hand like this 10:18	10 Q. I'm going to let it run. 10:23
11 (indicating) in my face. He's not a cop. 10:18	11 A. I don't trust the highway patrol right now. 10:23
12 MR. HERNANDEZ: Mr. Macy -- 10:18	12 Q. Sir, I'm going to let it run. Can you watch a 10:23
13 THE WITNESS: He's a lawyer. 10:18	13 few minutes of it and see if you recognize it. Okay? 10:23
14 You don't get this close in court, do you? Do 10:18	14 A. Okay. 10:23
15 you go up to a guy on the stand and go, "You need to 10:18	15 Q. So I am now going to show portions of 10:23
16 stop?" I don't think so. 10:18	16 Exhibit F. 10:23
17 You're not recording this. This is a safety 10:18	17 A. I would have to have my video here for this to 10:23
18 concern. This is common sense. This needs to be 10:18	18 be accurate. 10:24
19 documented and reported. 10:18	19 (Playing video: MR. MACY: "I've been 10:24
20 You can't go like that to me. 10:18	20 here since 1:00 o'clock. The highway patrol 10:24
21 THE VIDEOGRAPHER: Okay. We're ready to go off 10:18	21 has pulled me over saying I don't have a 10:24
22 the record. The time is 10:18 a.m. We are now off the 10:19	22 seat belt, and he's taking our time up. 10:24
23 record. 10:19	23 He's going to get a supervisor over here. 10:24
24 (Recess taken from 10:18 a.m. until 10:21 a.m.) 10:19	24 He won't give me his business card, and, 10:24
25 THE VIDEOGRAPHER: The time is 10:21 a.m. We 10:22	25 you know, this is my truck. We got a seat 10:24
Page 74	Page 76
1 are now back on the record. 10:22	1 belt. Here's the seat belt. Do you 10:24
2 THE WITNESS: So this is Jeff Macy again. I 10:22	2 see the seat belt? He's saying that 10:24
3 want to finish the question I was interrupted on. I was 10:22	3 it's not a factory seat belt, so if 10:24
4 interrupted on. 10:22	4 it's not factory installed, we can't 10:24
5 BY MR. HERNANDEZ: 10:22	5 have a fourth seat belt. This is 10:24
6 Q. Sir, this is my deposition, and I asked you a 10:22	6 totally shady.") 10:24
7 question about who continued videotaping with your 10:22	7 BY MR. HERNANDEZ: 10:24
8 cellphone. All right? 10:22	8 Q. All right. So I'm stopping the video at 10:24
9 So let me ask you again. The only individuals 10:22	9 35 seconds into the video. 10:24
10 who used your cell phone to videotape this -- the 10:22	10 Did you recognize the voice of the person that 10:24
11 incident was yourself and your son Josiah; is that 10:22	11 was speaking, sir? 10:24
12 correct? 10:22	12 A. Yes. 10:24
13 A. My phone, yes. Correct. 10:22	13 Q. Okay. Who was it? 10:24
14 Q. Thank you. 10:22	14 A. Me. 10:24
15 And, Mr. Macy, I understand that I did raise my 10:23	15 Q. Okay. And then you quickly showed the cab and 10:24
16 voice and I apologize. 10:23	16 those are the three children that were with you; right, 10:24
17 A. Apologize? You should never do that. You 10:23	17 sir? 10:24
18 should be disbarred for that type -- 10:23	18 A. Yes. 10:24
19 Q. Let's talk about the video itself. Sir, I have 10:23	19 Q. Okay. All right. Let's let it run a little 10:24
20 it brought up on my computer. 10:23	20 bit more. 10:24
21 A. You're a lawyer. 10:23	21 (Playing video: MR. MACY: "It's on the record. 10:25
22 Q. I have it brought up on my computer, sir. 10:23	22 We're sitting here. Nothing to do.") 10:25
23 Do you see that? It's on the screen. 10:23	23 BY MR. HERNANDEZ: 10:25
24 A. Yes. 10:23	24 Q. Okay. I'm stopping it at 46 seconds in. 10:25
25 Q. Can you take a look at it for a second? 10:23	25 How long had you been waiting before you 10:25
Page 75	Page 77

1 started videotaping? 10:25	1 you video that? 10:27
2 A. A long time. 10:25	2 (Playing video: MR. MACY: "That's your 10:27
3 Q. Can you give me -- was it ten minutes, 10:25	3 suspicion because that's normal standard. 10:27
4 20 minutes, 30 minutes? Can you give me an estimate of 10:25	4 I understand that. But now you've 10:27
5 time? 10:25	5 done your investigation; right? You saw 10:27
6 A. 20 or 30 minutes. 10:25	6 that we had a factory -- not a factory. But a 10:27
7 Q. Okay. 10:25	7 higher Sparco top-of-the-line seat belt 10:27
8 A. I should have recorded at the very beginning 10:25	8 installed, bolted in. And we had already been 10:27
9 but I didn't because I was trying to give him -- you 10:25	9 pulled over last year for the same thing. 10:27
10 know, to keep things deescalated, give him the benefit 10:25	10 That officer let us go and said we were fine.") 10:27
11 of the doubt that it was a legitimate stop. It could 10:25	11 BY MR. HERNANDEZ: 10:27
12 have been something I didn't know about. Maybe I had a 10:25	12 Q. All right. So at that point it's now 1:22 at 10:27
13 taillight out. 10:25	13 the end where I stopped the video. You had indicated 10:27
14 Q. Okay. 10:25	14 that he completed his investigation. 10:27
15 A. I was giving him the benefit of the doubt. 10:25	15 What is your understanding was the 10:27
16 Maybe I thought I was being targeted, but it was a 10:25	16 investigation he completed? 10:27
17 taillight out. No. It was exactly what I thought it 10:25	17 A. When did I say he completed his investigation? 10:27
18 was. I answered your question. 10:25	18 He's still looking. He hasn't -- he's never told me 10:27
19 (Playing video: MR. MACY: "You're 10:25	19 until the last of the very ticket what the charge was 10:27
20 saying you don't have a business card with 10:25	20 factually. He's trying to cite right now. He's looking 10:27
21 your name on it. The reason you stopped me was 10:26	21 up stuff. He's going, Well, 12-something said whatever. 10:27
22 because we don't have a factory-installed seat 10:26	22 I said, "Can you please read it out of your 10:27
23 belt; correct?") 10:26	23 book." If you read it, it has nothing to do with a 10:27
24 THE WITNESS: Look how big that DMV book is. 10:26	24 manufactured or factory seat belt. 10:27
25 He's trying to find a charge. 10:26	25 Q. Okay. So at this point even in the video it 10:28
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1 BY MR. HERNANDEZ: 10:26	1 says that you -- you indicated to him that he had 10:28
2 Q. Let me ask the question, sir. 10:26	2 completed his investigation. 10:28
3 A. It's a good case. 10:26	3 A. It said that in the video? Why would I say 10:28
4 Q. Let me ask the question, sir. 10:26	4 that? That doesn't make any sense. I said that he had 10:28
5 So at about -- a little before we get to the 10:26	5 completed investi- -- well, maybe I did, then. That's 10:28
6 first minute of the videotape, it shows you walking over 10:26	6 funny. That's pretty good if I did. 10:28
7 to Officer Bates' vehicle; right? 10:26	7 Q. What was the investigation, do you think, that 10:28
8 A. Yeah. I'm walking over to his vehicle. 10:26	8 he did at this point? 10:28
9 Q. And then you videotape inside the vehicle? 10:26	9 A. The seat belt issue. Nothing else. It had 10:28
10 A. Asking him what the charge is. 10:26	10 nothing to do with me, and I won the case. So he 10:28
11 Q. You're asking -- 10:26	11 illegally ticketed me. 10:28
12 A. He hadn't given me a charge yet. 10:26	12 Q. What -- 10:28
13 Q. And you look inside his vehicle with your 10:26	13 A. The passenger should have gotten a ticket. And 10:28
14 camera and yourself; right? And then you see the book 10:26	14 even then she still would have won. 10:28
15 out; right? 10:26	15 Q. What was the investigation? 10:28
16 A. Very smart. Look at that. That's beautiful. 10:26	16 A. Of a non-factory seat belt is his words. I 10:28
17 The jury is going to love this. 10:26	17 can't speculate. We don't know. He didn't tell me. 10:28
18 Q. Okay. 10:26	18 (Playing video: MR. MACY: "I get that. 10:28
19 A. Can you imagine that? The jury going, this guy 10:26	19 We know you all have your investigation.") 10:28
20 has still not told me what I'm charged with. We've been 10:26	20 THE WITNESS: I'm answering your questions. 10:28
21 waiting -- what? -- 20, 30 minutes. And he doesn't have 10:26	21 (Playing video: MR. MACY: "And then you 10:28
22 a charge, and he's trying to read it -- I'm sorry about 10:26	22 looked up the code, which you quoted was?" 10:28
23 touching your thing. 10:27	23 OFFICER BATES: "27315(e)." 10:28
24 Q. All right. 10:27	24 "MR. MACY: "Which I read. Do you want 10:28
25 A. That should be on the camera showing this. Can 10:27	25 me to read it to you? It actually said the 10:28
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1 opposite. 10:28	1 good probable cause for a stop.") 10:31
2 Maybe you have a different book. Maybe the 10:29	2 BY MR. HERNANDEZ: 10:31
3 phones are on. Can you read it to me out 10:29	3 Q. Okay. So at that point Sergeant O'Brien 10:31
4 loud." 10:29	4 indicates that it was probable cause. My understanding 10:31
5 OFFICER BATES: "Let's wait until my 10:29	5 is you just said that you agreed with that? 10:31
6 sergeant gets here." 10:29	6 A. Well, to be peaceful. Not that I agreed. It 10:31
7 MR. MACY: "I would like to have it on record, 10:29	7 was an illegal detainment or I wouldn't have the 10:31
8 please. Does it say there we can't have a 10:29	8 sergeant show up. Remember, you got to let me answer, 10:31
9 factory seat belt?") 10:29	9 though. Right? I think you're forgetting this. If you 10:31
10 BY MR. HERNANDEZ: 10:29	10 ask me a question and I have to have an answer you might 10:31
11 Q. All right. So the officer just indicated that 10:29	11 not like, you should let me finish. This is proper. 10:31
12 "We will wait until my supervisor gets here." This is 10:29	12 Instead of getting angry at me, just don't ask too much 10:31
13 now 1:50 into the video. 10:29	13 open questions maybe. 10:31
14 So by this point you had already asked him for 10:29	14 (Playing video.) 10:31
15 the supervisor to come to the scene; right? 10:29	15 THE COURT REPORTER: I can't hear it. 10:31
16 A. Probably. 10:29	16 THE WITNESS: Well, she can't hear it. 10:31
17 Q. Okay. I'm actually going to skip a little bit 10:29	17 BY MR. HERNANDEZ: 10:31
18 of this. 10:29	18 Q. It's okay. What's being said is not as 10:31
19 A. That book is beautiful. He didn't know the 10:29	19 important. I'll get to the question. I'm just trying 10:32
20 code. It's 100 percent evidence. He didn't know. He 10:29	20 to get the setup of the scene. 10:32
21 lied to his sergeant. His sergeant trusted him. His 10:29	21 Okay. So at this point it's your son that's 10:32
22 sergeant word-for-word said, "Does it say somewhere in 10:29	22 recording you; right? 10:32
23 there it has to be a factory seat belt?" Bates lied to 10:29	23 A. Yeah. Risking his life. 10:32
24 his sergeant. This should be concerning to you. He 10:29	24 Q. I can see you and Sergeant O'Brien at 9:32 of 10:32
25 said it does say it in the book, and he lied on record 10:29	25 the video; right? 10:32
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1 right on this film. 10:30	1 A. Yeah. The first guy already told me I can't 10:32
2 Q. Okay. Okay. So I want to move forward with 10:30	2 record. Now he's -- he could say the same thing to him. 10:32
3 the video. I'm going to start it at about 8:51. It 10:30	3 Q. All right. 10:32
4 looked like by this point Sergeant O'Brien had appeared; 10:30	4 A. What is it you guys want to hide? That's the 10:32
5 right? 10:30	5 question, I would say. 10:32
6 A. Yep. And Bates. 10:30	6 (Playing video; inaudible.) 10:32
7 Q. And Bates. So at 8:51 they're both on the 10:30	7 BY MR. HERNANDEZ: 10:32
8 screen. They had spent some time talking at this 10:30	8 Q. Okay. We're now skipping to 11- -- 10:32
9 time -- right? -- out of your earshot? 10:30	9 A. How big are you? How much do you weigh? 10:32
10 A. Yes. That's what's shady. We want a copy of 10:30	10 What's your height? 10:32
11 it. You're not providing. We want to know what he said 10:30	11 Q. We're not -- 10:32
12 to him. He took him in private and said, "What's this 10:30	12 A. It's relevant when you're like this 10:32
13 about?" Why would he do it in private? 10:30	13 (indicating) to me. I want to know. 10:32
14 Q. So at this point -- 10:30	14 Q. We're at 11:01. 10:32
15 A. He had things to say in private. 10:30	15 A. You didn't answer me. 10:32
16 Q. Okay. We're at about 8:51. 10:30	16 (Playing video; inaudible.) 10:32
17 A. I'm answering your question. You know that; 10:30	17 THE WITNESS: Look at that. Hello. 10:33
18 right? You literally asked me. 10:30	18 BY MR. HERNANDEZ: 10:33
19 Q. Okay. So at this point at eight fifty -- at 10:30	19 Q. So we're now -- 10:33
20 9:00 o'clock -- 10:30	20 A. For the record -- well, I have to answer your 10:33
21 A. What are they saying? 10:30	21 question. Sorry. You're right. 10:33
22 Q. -- nine minutes they're talking to each other. 10:30	22 Q. I'm going to put it on -- 10:33
23 A. So another nine minutes I have to wait while 10:31	23 A. Hopefully you'll be -- 10:33
24 they figure out if I should get a ticket or not. 10:31	24 Q. -- on the record. 10:33
25 (Playing video: SERGEANT O'BRIEN: "That's 10:31	25 So we are now at approximately 11:12 of the 10:33
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1 video. The video shows -- it appears to be Officer 10:33	1 the person who's the victim in this case. I'm the 10:35
2 Bates on the step up to the cab of the vehicle; is that 10:33	2 victim and my kids. We're victims. 10:35
3 correct? 10:33	3 Q. Okay. So the video is now at 11:10. Describe 10:35
4 A. Look at his hands. 10:33	4 what you see. 10:35
5 Q. Okay. 10:33	5 A. His hand inside our truck -- 10:35
6 A. Well, you're asking me a question. 10:33	6 Q. Okay. 10:35
7 Q. Yeah, I know. 10:33	7 A. -- from a partial picture. 10:35
8 But is that correct? 10:33	8 I need it -- you're cutting me off. I need to 10:35
9 A. Am I allowed to answer my way? You want me 10:33	9 answer this completely. 10:35
10 to -- I don't believe that's a correct interpretation. 10:33	10 Q. What do you see -- 10:35
11 Q. Okay. 10:33	11 A. This is a partial picture not showing the 10:35
12 A. There's more going on there. 10:33	12 center of where he's at in the vehicle at this time, 10:35
13 Q. You describe to me what's in this shot. 10:33	13 like you're trying to manipulate me. This is 10:35
14 A. His head is inside our vehicle. The door is 10:33	14 disappointing. People aren't dumb. It's showing a 10:35
15 open. Illegal search and seizure. Right? You're not 10:33	15 partial. Not the center where he's at right now. 10:35
16 allowed -- you can look outside but not inside. You can 10:33	16 You're showing a part of his arm inside our truck, not 10:35
17 look. You can look. The window's down. You don't have 10:33	17 showing his body. 10:35
18 to -- you don't go in a door just because it's open. If 10:33	18 Q. Mr. Macy, I'm going to let the video run. This 10:35
19 you have a front door of a house, doesn't mean you're 10:33	19 is where it starts. 10:35
20 welcome to go in. 10:33	20 A. You said at the end you're going to let me 10:35
21 He enters the cab. His hand is holding on 10:33	21 respond. 10:35
22 inside -- I touched your screen. Sorry about that. 10:34	22 Q. This is where the video starts. 10:35
23 He's holding on, I presume to be, the hand grab inside 10:34	23 A. Okay. 10:35
24 the truck. His foot is on the step. His right foot. 10:34	24 Q. Just watch it. Okay? 10:35
25 His right hand -- who knows what he's doing with his 10:34	25 (Playing video; inaudible.) 10:35
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1 right hand, to be honest. 10:34	1 BY MR. HERNANDEZ: 10:35
2 Look at my son. Imagine that? You have a cop 10:34	2 Q. Okay. We are now at 11:26. 10:36
3 and my son's sitting there. That's not cool. He was 10:34	3 A. Look what he's doing to my passengers. These 10:36
4 inside. Clearly his head is 100 percent inside. I 10:34	4 are my kids. 10:36
5 don't know if you guys can -- I'm testifying to that. 10:34	5 Q. Can you do me a favor -- 10:36
6 Do you agree or you don't agree, I mean? 10:34	6 A. You're aggro with something you don't even 10:36
7 Q. I'm just asking you what you describe -- 10:34	7 know. This is my family right here. 10:36
8 A. You feel this is accurate, what I'm saying? 10:34	8 Q. Can you describe for me between ten -- no -- 10:36
9 Q. Okay. So I'm going -- 10:34	9 11:10 and 11:26 what you saw on the video. 10:36
10 A. He's inside our truck. 10:34	10 A. The officer illegally enters the vehicle. 10:36
11 Q. Okay. I'm going to stop for a second. 10:34	11 Nobody can question this. This is video evidence, 10:36
12 A. His head is inside, man. 10:34	12 indisputable. We didn't edit it. Your copy of the 10:36
13 Q. I'm going to -- 10:34	13 video. Illegally enters the vehicle to get a view of 10:36
14 A. The door is open. 10:34	14 the seat belt that he thinks is non-factory. This is my 10:36
15 Q. I'm going to run the video of him looking 10:34	15 guess. It logically matches what he's accusing. While 10:36
16 inside. Okay? 10:34	16 doing it, makes my passenger completely nervous. 10:37
17 A. He goes in deeper anyways. 10:34	17 Look at my daughter. He probably asked her 10:37
18 Q. Stop for a second. I'm going to show you that 10:34	18 to move -- "Can you lean up so I can see?" Who knows 10:37
19 portion. Okay. I want you to pay attention, and then 10:34	19 what happened to my daughter and my son. They don't -- 10:37
20 when we're done just describe to me what you saw. Okay? 10:34	20 they know not to let people get close. It's called a 10:37
21 A. Afterwards you want me to describe what I see? 10:34	21 6 foot rule. This is unsafe at this point. He can 10:37
22 Q. Yes. So . . . 10:34	22 punch them. He could do whatever. I know you think -- 10:37
23 A. You're not going to say how big you are, how 10:35	23 you trust people, whatever. We don't trust the guy who 10:37
24 tall you are, if you're an ex-cop, something like that. 10:35	24 pulls us over for some reason who towed the same truck 10:37
25 That's your motive possibly to why you're going after 10:35	25 months earlier. 10:37
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1	He came in and he's still looking. It's not	10:37	1	charge. He's trying to -- he had his book open.	10:39
2	complete. You're just being fair to you. This is where	10:37	2	Okay. What did they say? They said he was	10:39
3	it ended. He's still looking inside my truck. Now he's	10:37	3	dangerous, he was threatening, they don't trust him. I	10:39
4	doing it legit outside the truck. Nothing wrong with	10:37	4	had discussions with them. We had to have a whole	10:39
5	that part. It's where he went in the truck was the	10:37	5	two days talking to my kids after this, about not	10:39
6	problem.	10:37	6	trusting this officer ever again or his sergeant ever	10:39
7	Look what he did to my passenger, my son, who	10:37	7	again, because they're in our community. We have to	10:39
8	knows not to trust cops. To a certain point you don't	10:37	8	worry. We're responsible for our community. A lot of	10:39
9	trust anyone. I don't trust you when you put your hand	10:37	9	people trust our decision. We tell people obey the	10:39
10	like that. I don't trust you anymore. I'm not going to	10:37	10	government. But when they do certain things, don't get	10:39
11	lie. I had a lot of respect for you. Your office is a	10:37	11	violent. You film it, and that's why we're here. We're	10:39
12	very important position. I've never seen any judge do	10:37	12	doing a case against this officer for his behavior.	10:39
13	that, any lawyer go up to someone and say, "You need to	10:37	13	Right?	10:40
14	stop." The judge -- the bailiff would have arrested	10:37	14	Q. Sir --	10:40
15	you. You're lucky you're here in my opinion.	10:38	15	A. He should not be a cop anymore.	10:40
16	Q. Sir, remember I told you, just answer the	10:38	16	Q. Sir --	10:40
17	question.	10:38	17	A. He has a long history of abuse.	10:40
18	A. I'm trying to answer it.	10:38	18	Q. Sir, once again --	10:40
19	So he made -- he clearly caused duress on me.	10:38	19	A. I'm answering that.	10:40
20	I can tell you if this wasn't a cop, I would have	10:38	20	Q. You answer the question --	10:40
21	grabbed him and said, "Don't get near my kids. Don't go	10:38	21	A. These are things I'm telling them. Let me keep	10:40
22	in my vehicle." I would have done it peacefully. I	10:38	22	going, then. I'll try to answer it. This is a good	10:40
23	wouldn't hurt people. I would have grabbed him. I	10:38	23	question.	10:40
24	would have detained him if he acted aggro -- aggro.	10:38	24	Q. I want to know if they described to you the	10:40
25	Sorry. And I would have called the police and said,	10:38	25	actions that Officer Bates took when he looked into the	10:40
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1	"This guy illegally violated my federal law."	10:38	1	truck?	10:40
2	He made my kids nervous. I already protect my	10:38	2	A. He's threatening. He has a gun on him. He has	10:40
3	kids. We're homeschool. We're nonprofit. They don't	10:38	3	a taser. He has Mace. We know this stuff. He -- his	10:40
4	go to public school. We protect everybody, anyone who	10:38	4	intent is everything. Everybody knows this. If a guy's	10:40
5	works for us, in a peaceful way. This behavior was	10:38	5	here as your friend, you don't care what people do with	10:40
6	threatening. Look what it did to my son. He knows you	10:38	6	your friend. They're in our house. They walk around.	10:40
7	got to defend yourself at some point. At some point it	10:38	7	But as soon as they act weird --	10:40
8	doesn't matter if you have a badge. It doesn't matter	10:38	8	His was threatening from the start. He came	10:40
9	if you're a lawyer and you put your hands in someone's	10:38	9	out of his car. I told them -- I told them when he	10:40
10	face. There's behavior that's unacceptable.	10:38	10	pulled us over, This guy's up to no good. Put your	10:40
11	Q. Have you ever spoken to either of the two	10:38	11	hands -- be careful. Don't move." They're already	10:40
12	children that were still in the vehicle --	10:38	12	scared half to death. Right? They're like this. I'm	10:40
13	A. Yeah. They're very concerned because they	10:38	13	like, "Don't reach for anything. You know this. He's	10:40
14	already knew they're targeting us. We had a history	10:39	14	not here to help us." He's working for Burrtec -- this	10:40
15	before this moment, so the answer is yes.	10:39	15	is another one of our cases -- to try to stop us from	10:40
16	Q. What did they tell you that Officer Bates did	10:39	16	functioning and disabling our ability to pick up trash.	10:40
17	at that moment?	10:39	17	These are the things.	10:41
18	A. They didn't know what he was doing. He was	10:39	18	I'm answering the questions, so don't get mad	10:41
19	going in the vehicle. You don't know what people are	10:39	19	at me. I'm on the topic of what I told my kids. These	10:41
20	doing. You have to look at what they're doing. Not	10:39	20	are the things I told my kids. She's a witness to this.	10:41
21	what they say.	10:39	21	We sat down on a couch in our house. I went over the	10:41
22	Q. Okay. Did they --	10:39	22	case. I said, "Guys, this is serious. We need to save	10:41
23	A. Criminals and con artists, what do they say?	10:39	23	a copy of this film right away and remember how good I	10:41
24	"I'm here to help you" and then they rob you. This guy	10:39	24	taught you? Anytime you feel threatened" --	10:41
25	could be looking for drugs, and he could just look for a	10:39	25	Like now I messed up. I regret not filming	10:41
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1 this. This is bad. You know, if I had my son here, he 10:41	1 how my kids were going to get home. It's a long walk on 10:43
2 would have filmed you, and you might not have done this 10:41	2 Highway 18. There's no buses there. There's no bus 10:43
3 to me. 10:41	3 there. You have to walk along Highway 18. 10:43
4 "When you feel threatened, go with the facts. 10:41	4 I don't think you understand the mountains. 10:43
5 You need to film right away. Stay your distance, don't 10:41	5 It's not like the city. They don't have a nice 10:43
6 get loud, stay calm because people will snap on you and 10:41	6 sidewalk. Some time you're on the white line. Some 10:43
7 they can hurt you. You don't know this guy. You don't 10:41	7 time you're in the road to get home. They have to 10:43
8 know him." And he had already -- you know how upset 10:41	8 figure out how to get home. If he arrested me, he would 10:43
9 they were already? 10:41	9 have taken my phone probably so that I couldn't have the 10:43
10 So we already had a whole thing about how we're 10:41	10 video evidence. 10:43
11 going to react when they towed our car -- the same truck 10:41	11 These were things we were concerned -- they 10:43
12 got towed months earlier by this officer. You know when 10:41	12 told me they were concerned about. He was going to 10:43
13 he lied? He lied to the court. These are things I 10:41	13 steal my phone so we had no video, put me in jail for 10:43
14 told. You asked me this. He said we parked in front of 10:41	14 what? You know what the charge is going to be? And I 10:43
15 a fire hydrant, and he said we blocked a road. 10:42	15 knew this. I had to stay calm. I was more calm then 10:43
16 Well, guess what? I took a picture and filmed 10:42	16 for them. For impeding an investigation was what they 10:44
17 it. I was genius back then. We didn't even have to go 10:42	17 were trying to get me with because they didn't have a 10:44
18 to trial on that case against this guy. His supervisor 10:42	18 charge. But if I would have been not cooperative, they 10:44
19 threw the case out. He looked at it. He saw we were on 10:42	19 would handcuff me. 10:44
20 a private road. You're not allowed to tow off a private 10:42	20 Q. Mr. Macy, we are now at 11:30. 10:44
21 road. We were not in front of a hy- -- he was willing 10:42	21 A. He's got shades on. You can't see his eyes. 10:44
22 to lose his job to harass us. This is not good. In 10:42	22 Q. Is the video demonstrating that Officer Bates 10:44
23 fact he was five minutes after we ran out of gas like 10:42	23 is walking away from the cab of the truck? 10:44
24 they were tracking us. This is a real story. You guys 10:42	24 A. Yes. 10:44
25 won't even get this. 10:42	25 Q. Thank you. 10:44
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1 Q. Mr. Bates -- 10:42	1 (Playing video; inaudible.) 10:44
2 A. Macy. 10:42	2 THE WITNESS: Look how nice and calm I was. 10:44
3 Q. Mr. Macy -- 10:42	3 You wouldn't know that, huh? Now I'm not as calm 10:44
4 A. Can I finish all the things I told them? This 10:42	4 because I'm not in front of an officer. This is a 10:44
5 has to do with the damages. 10:42	5 lawyer. I tried to be respectful to you. 10:44
6 Q. My question was not what you told them. My 10:42	6 MR. HERNANDEZ: Let me cue up the next portion. 10:44
7 question was did they describe -- 10:42	7 (Playing video; inaudible.) 10:44
8 A. They responded -- 10:42	8 THE WITNESS: Look how big his hands are. 10:44
9 Q. No. My question was did they describe to you 10:42	9 BY MR. HERNANDEZ: 10:45
10 Mr. -- Officer Bates' behavior when he looked into the 10:42	10 Q. All right. Sir, I'm going to try to get this 10:45
11 truck? 10:42	11 as loud as I can. Okay. So it is now 12:50 of the 10:45
12 A. Yes. They said he was cold as ice. Cold as 10:42	12 videotape. And if -- I just want you to listen to it 10:45
13 ice. You can tell somebody -- the Bible says look in 10:42	13 for about 30 seconds. Okay? And hopefully we can get 10:45
14 their eyes. His eyes are cold as ice. If you meet him, 10:42	14 it on. Okay. 10:45
15 you can talk to him. He was cold as ice. You're going, 10:43	15 Don't say anything. Just let the video play. 10:45
16 What's his motive here? He's not a good person. He was 10:43	16 (Playing video; inaudible.) 10:45
17 not here to do good for us. He was trying to find a 10:43	17 BY MR. HERNANDEZ: 10:45
18 charge to arrest their dad who they said put his phone 10:43	18 Q. Now, at any point did you agree for the 10:46
19 down. 10:43	19 officers to search the inside cab -- 10:46
20 They said, "Dad, we were afraid they were going 10:43	20 A. No. 10:46
21 to arrest you." I'm answering you. They were afraid 10:43	21 Q. -- of the truck? 10:46
22 that one of these two guys or both of them when they 10:43	22 A. I did not. He gave a lawful command for my 10:46
23 surround you we're going to arrest you for nothing, an 10:43	23 kids to get out. He was not even the arresting officer. 10:46
24 illegal detainment, take me to jail. And then they were 10:43	24 He was a sergeant. He took over illegally in my 10:46
25 going to impound my truck again, and I had to figure out 10:43	25 opinion. The stop was already voided as soon as he took 10:46
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1	it over.	10:46	1	not say anything and wait until we're done watching the	10:48
2	So the sergeant takes over the stop at this	10:46	2	portion I want to show you, and then I'll ask you some	10:48
3	point and tells -- gave an order. It doesn't matter how	10:46	3	questions. Okay? Do you understand?	10:48
4	you say it. He has a badge on. This guy has a nametag	10:46	4	A. I'm shaking my head yes.	10:48
5	at least. You can see it. Right? Look at his	10:46	5	Q. Okay.	10:48
6	folded-over one. This one actually shows his nametag,	10:46	6	A. You can see that. It sounds like antagonistic	10:48
7	the real sergeant. Right? He moved to a different	10:46	7	when you keep asking someone. Do you want me to say	10:48
8	spot. He's actually legit. We knew him. Right? He	10:46	8	yes? Just say yes or no. Will you not ask until it's	10:48
9	was a nice guy, we thought. So the question I'm	10:46	9	done. That's antagonistic. I don't know what kind of	10:48
10	answering; right?	10:46	10	lawyer you are doing here. You're going to get in	10:48
11	Q. So then just --	10:46	11	trouble in court. Not me. I'm the victim.	10:48
12	A. He ordered. I need it to be clear. He	10:46	12	(Playing video; inaudible.)	10:48
13	ordered. It doesn't matter if he said, "Get out of the	10:46	13	BY MR. HERNANDEZ:	10:49
14	car" or "Could you please ask them to get out of the	10:46	14	Q. Okay. So we started that video at about 13:12,	10:49
15	vehicle." It's still an officer of the law, and it	10:46	15	and we are now finishing a portion at 14:01.	10:49
16	doesn't matter his wording.	10:47	16	Mr. Macy, describe what you just saw in the	10:49
17	If you understand his words, you need to comply	10:47	17	video.	10:49
18	or they will arrest you. Then they can get you for --	10:47	18	A. Officer Bates -- I'd have to see it again. I	10:49
19	for what? What's the charge? -- impeding an	10:47	19	mean, he goes up on the -- it's a different part of the	10:49
20	investigation. If I go, "No, we're not going to	10:47	20	video. He goes in there twice, I think.	10:49
21	cooperate with you," he could have said, "Put your hands	10:47	21	Q. Do you want to see it again?	10:49
22	behind your back. We already got your phone down. Get	10:47	22	A. Sure. Let me see it again. I want to be	10:49
23	in the car." Well, the traffic stop was shady, but we	10:47	23	accurate. I didn't know your question. If you ask the	10:49
24	got you for this.	10:47	24	question first, it'd probably be better. Say, "What are	10:49
25	Q. Okay. Just so I understand because that was	10:47	25	going to" -- "what do you think you see here?" And then	10:49
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1	kind of a long answer --	10:47	1	you play the video. That's the proper way.	10:49
2	A. He just said it right there.	10:47	2	Q. So once again I'm going to play the video.	10:50
3	Q. Just answer this question.	10:47	3	A. Thank you.	10:50
4	A. I answered it. We did not give permission.	10:47	4	Q. When we're done, then just tell me what you	10:50
5	You can look because that's the law, but you cannot	10:47	5	saw; okay?	10:50
6	enter.	10:47	6	A. Yep.	10:50
7	Q. So your testimony is today --	10:47	7	(Playing video; inaudible.)	10:50
8	A. He said it right there.	10:47	8	MR. HERNANDEZ: Go back to 12:55 and we'll let	10:50
9	Q. Your testimony is today that you did not	10:47	9	the video run.	10:50
10	provide either Officer Bates or Sergeant O'Brien	10:47	10	(Playing video; inaudible.)	10:50
11	permission --	10:47	11	BY MR. HERNANDEZ:	10:51
12	A. Not on this stop. Not on this one. There was	10:47	12	Q. Okay. So we're stopping again at 14:01.	10:51
13	a previous one I did. Not this one.	10:47	13	Describe what you just saw, sir.	10:51
14	Q. I'm going to have to try to get my question out	10:47	14	A. It shows me being really proud of myself. I	10:51
15	before you answer.	10:47	15	was very calm even though I was being targeted,	10:51
16	A. Sorry.	10:47	16	illegally detained, factually the court approved of it.	10:51
17	Q. Therefore it is your testimony here today that	10:47	17	They threw the case out that this was an illegal stop.	10:51
18	at no time did you provide Officer Bates or Sergeant	10:47	18	So what I'm describing is me being very calm.	10:51
19	O'Brien permission to search your vehicle during this	10:48	19	I was very proud of it. Then Officer Bates making a	10:51
20	stop we're discussing?	10:48	20	lawful command to get my kids out of the truck who did	10:51
21	A. Not to go inside and search. Why would I say	10:48	21	nothing wrong to anybody. That is not a normal stop. I	10:51
22	it? "Do you want to go search?" Why would I say that?	10:48	22	knew this. And even with knowing as much as I knew, I	10:51
23	"Go in and dig through my car and tear it up." It's not	10:48	23	was so proud of myself. I'm still proud of myself how	10:52
24	intelligent.	10:48	24	calm I was. I didn't do anything threatening. I stayed	10:52
25	Q. We're going to run the video, and I want you to	10:48	25	away. My hands were like this (indicating). I felt	10:52
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1 really good. 10:52
2 He goes over, illegally obtains photos with the 10:52
3 door open illegally. That is a factual word-for-word 10:52
4 law and violation. You cannot obtain video evidence as 10:52
5 we're going to have an issue with this, without 10:52
6 permission. And he walked over to the truck. He asked 10:52
7 his sergeant to take a second look as well trying to get 10:52
8 his sergeant to support his decision, I would assume, 10:52
9 presuming illegally obtained video evidence. 10:52
10 This is a solid black-and-white case in front 10:52
11 of a jury. When we're allowed to read this to the jury, 10:52
12 I'll read the law to them. I think it's the Fourth 10:52
13 Amendment. You cannot take video evidence. You cannot 10:52
14 enter. The rights -- you cannot obtain people's 10:52
15 personal property. It's pretty simple. I think the 10:52
16 people will be on our side. I can't imagine them going, 10:53
17 "I want cops to do this to me." 10:53
18 Q. Okay. 10:53
19 A. Look at this. 10:53
20 Q. Let me cue -- 10:53
21 A. The door is open. It's not through the window. 10:53
22 Q. Let me cue this up. 10:53
23 A. He's forced our kids to leave the vehicle. 10:53
24 That is huge on its own. They told them to get out of 10:53
25 the vehicle. There was not a crime. 10:53
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1 Q. Okay. 10:53
2 A. It's not a felony. It's a misdemeanor traffic 10:53
3 stop. It's an infraction. Sorry. The lowest. 10:53
4 Q. Let me put the section of the video and then 10:53
5 you can describe it. 10:53
6 (Playing video; inaudible.) 10:53
7 BY MR. HERNANDEZ: 10:53
8 Q. Okay. So we are now at 13:41 of the video and 10:53
9 describe what you see, sir. 10:53
10 A. Officer Bates illegally obtaining evidence to 10:53
11 try to support his illegal traffic stop, which needs to 10:53
12 be said that this did get proven in court to be a 10:53
13 violation. He was wrong. And the court did give us our 10:53
14 money back. Factually what you're seeing by law has 10:53
15 already been judged on that we were wronged factually. 10:53
16 This isn't disputable. The only dispute is how much 10:53
17 trouble this guy should be in for doing these type of 10:54
18 behaviors over infractions. 10:54
19 Q. Did Officer Bates at any time move any items 10:54
20 within the cab that you're aware of? 10:54
21 A. I think he does later. I'm pretty sure. I 10:54
22 think there's a part we'll have to present in court or 10:54
23 show you where he grabs -- he calls it a pillow and 10:54
24 throws it. We had to put it back. 10:54
25 Q. So -- 10:54
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1 A. It was part of the seat. 10:54
2 Q. Your testimony is that one of the 10:54
3 officers pulled -- 10:54
4 A. I think he did. I don't want to say for sure 10:54
5 yet. I want to look at the video. I don't want to lie. 10:54
6 I want to know. 10:54
7 Q. That's fine. 10:54
8 A. I have to look at the video because I don't 10:54
9 want to go off of memory and say, "Here he is inside our 10:54
10 cab disturbing our vehicle." I want to have that 10:54
11 factual. Not speculative. I'm 56 so -- 10:54
12 Q. Okay. So just -- 10:54
13 A. It could be a different traffic stop. They had 10:54
14 already done the same thing to me before, so I'm 10:54
15 answering the question. 10:54
16 Q. Okay. Potentially other than the pillow did 10:54
17 Officer Bates -- 10:54
18 A. He calls it a pillow. It's a seat. 10:54
19 Q. Seat pillow. 10:54
20 A. Makes a difference between a seat and a pillow. 10:55
21 All seats are padded. We know this -- right? -- for 10:55
22 comfort. That's why it's padded. 10:55
23 Q. Did Officer Bates remove anything else from the 10:55
24 vehicle other than potentially the seat pillow? 10:55
25 A. That's my memory was that. 10:55
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1 Q. Did -- other than perhaps a seat pillow -- 10:55
2 A. I would have to look carefully. I mean, this 10:55
3 guy -- if you look carefully, maybe you'll see he did 10:55
4 something else. I have to worry about -- that's why 10:55
5 we're filming. He could have planted drugs in our 10:55
6 truck. That's why you don't let them in your vehicle. 10:55
7 Okay? If no one else understands that. If they're not 10:55
8 in, they can't say, "Hey, guess what we found under the 10:55
9 seat? Look now we've got them for something they didn't 10:55
10 have." I've never done drugs in my life. 10:55
11 Q. Was anything removed from the inside of the 10:55
12 truck? 10:55
13 A. I can't say that for sure. 10:55
14 Q. Okay. Was there anything missing that you 10:55
15 determined was missing from -- 10:55
16 A. We were pretty rattled. We were pretty 10:55
17 rattled. This is why I had to do a lawsuit. Right? 10:55
18 This is not simple. This is where everything changed 10:56
19 from supporting highway patrol that we fund to not 10:56
20 funding them anymore. 10:56
21 Q. Mr. Macy -- 10:56
22 A. This is not okay what happened here. 10:56
23 Q. Mr. Macy, was -- did you find anything missing 10:56
24 from the cab of the vehicle after the stop? 10:56
25 A. I don't know. That's the answer. I already 10:56
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1 told you. You're asking me the same question twice. Is 10:56	1 of the truck -- 10:58
2 that something you normally do too? You get an answer. 10:56	2 A. No. I'm sorry. I'll wait until you're done. 10:58
3 You ask it. I answer it, and then later on you go, 10:56	3 Q. -- with his body? 10:58
4 "Here's the same question." One question, please. 10:56	4 A. That part I'm wrong on. I should wait until 10:58
5 Q. Mr. Macy, was anything -- 10:56	5 you're done. I said no. 10:58
6 A. We don't know. I answered that three times. 10:56	6 Q. Thank you, sir. All right. 10:58
7 Q. Sir, are you going to let me finish the 10:56	7 A. Sergeant already been in my truck. I trusted 10:58
8 question? 10:56	8 him. I didn't trust this guy. 10:58
9 A. Okay. 10:56	9 Q. So if Officer Bates disturbed the pillow, 10:59
10 Q. Was any items other than perhaps the pillow 10:56	10 slash, seat, it would have occurred -- 10:59
11 seat disturbed inside the vehicle after this? 10:56	11 A. It's a seat. Okay. 10:59
12 A. Disturbed? He grabbed our thing. We don't 10:56	12 Q. It would have occurred sometime after you 10:59
13 know what he's up to. So I don't trust him. So you're 10:56	13 started videotaping; right? 10:59
14 asking the wrong person this question. 10:56	14 A. Correct. 10:59
15 Q. Other than -- other than -- 10:57	15 Q. Okay. If the video does not demonstrate that 10:59
16 A. Called dirty cops. 10:57	16 Officer Bates disturbed the pillow/seat, would you have 10:59
17 Q. Did you ever see either Officer Bates or 10:57	17 any reason to believe that he did? 10:59
18 Sergeant O'Brien enter into the cab with their complete 10:57	18 A. Well, you're talking about one clip. 10:59
19 body? 10:57	19 Previously -- I'm answering your question. Previously 10:59
20 A. Yes, I did. On a previous stop Sergeant -- you 10:57	20 you showed me a video of him entering the truck. Now 10:59
21 asked it that way. You didn't ask on this particular 10:57	21 you're showing a different part of the video. So the 10:59
22 stop. 10:57	22 answer is not -- it's not a good question. You've 10:59
23 Q. Fine. Okay. I'll grant you that. 10:57	23 already factually established he entered the vehicle. 10:59
24 A. Yes, he did. The sergeant had already been in 10:57	24 Now you're showing another part trying to trick me or 10:59
25 my vehicle. He inspected the seat belt and said it was 10:57	25 something. It doesn't sound ethical. 10:59
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1 fine and safe and we could go. It's very important. 10:57	1 Q. I'm going to ask -- 11:00
2 Q. During the stop of June 27th, 2023 -- 10:57	2 A. This is common sense, you know. This is 11:00
3 A. There you go. 10:57	3 manipulative. 11:00
4 Q. -- did you see Officer Bates completely enter 10:57	4 Q. I'm going to ask you again, sir. The video 11:00
5 the cab of the truck with his body? 10:57	5 that was -- that you took and your son took during the 11:00
6 A. I don't think it was complete. I don't think 10:57	6 subject stop, the stop on June 27th, 2023, if the 11:00
7 so. 10:57	7 entirety of the video does not demonstrate that Officer 11:00
8 Q. Okay. 10:57	8 Bates disturbed the pillow or the seat, seat belt area 11:00
9 A. I was in a different location. I'm not filming 10:57	9 which is at question, would you have any other reason to 11:00
10 this. See the shadow? That's my son. I'm over here 10:57	10 believe that he actually did? 11:00
11 with the sergeant. I don't have a good view. Maybe 10:58	11 A. That's a lot of -- that's a lot of compound 11:00
12 that's part of their distraction trick. This guy talks 10:58	12 question, but the answer is I already told you, I 11:00
13 to me and he jumps in my truck. That's what happened. 10:58	13 believe he did disturb the seat at some point in the 11:00
14 We don't know what he's doing. 10:58	14 video. You're showing parts of the video. That's my 11:00
15 So all I can go with is the video which I 10:58	15 answer. To be determined or whatever was alleged in the 11:00
16 believe from the section you showed only used, like, 10:58	16 claimant -- in the complaint I'm sure is accurate. I 11:00
17 this moment -- I think he's just filming right here. 10:58	17 have witnesses. I can't answer it the way you want me 11:00
18 Later you showed previously he jumped into the vehicle 10:58	18 to. Sorry to say that to you. 11:00
19 and put his head through the thing. He's holding on to 10:58	19 Q. Did you attempt to make a verbal complaint -- 11:00
20 the handle reaching in to do something, but it's -- the 10:58	20 A. Yes. 11:01
21 angle is blocked by his body. We don't know what he's 10:58	21 Q. -- about Officer Bates to Sergeant O'Brien -- 11:01
22 doing with this hand. You know that. I'm not making 10:58	22 A. Yes. 11:01
23 stuff up. You saw it yourself. 10:58	23 Q. -- while during the stop? 11:01
24 Q. Mr. Macy, did you during the stop of June 27th, 10:58	24 A. Absolutely. 11:01
25 2023, ever see Sergeant O'Brien completely enter the cab 10:58	25 Q. And what did Officer -- I'm sorry -- Sergeant 11:01
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1 O'Brien tell you? 11:01	1 it. You don't need to have a three-point harness. You 11:03
2 A. You're going to let me answer, I hope. I don't 11:01	2 know this; right?" 11:03
3 mean to sound rude. Sorry about that. But he said he 11:01	3 He knows. He was doing good. We were so good 11:03
4 believed it was within -- it was normal. I told him, 11:01	4 for a while. Right? And I can't remember the fifth one 11:03
5 "That's not true. You in fact, you, pulled us over in 11:01	5 right now. He goes back and talks to him. I thought he 11:03
6 Cedar Glen on the way to pick up trash and you" -- 11:01	6 was going be like, "These are good people. I already 11:03
7 because I liked him because he was one of our customers. 11:01	7 pulled them over. They're legitimate. Don't pull them 11:03
8 I didn't expect him to be a shady cop. Right? He 11:01	8 over for this." And then let them go and everybody is 11:03
9 seemed like a nice guy at the job. He paid us fairly. 11:01	9 happy. 11:03
10 I said, "Go ahead and check." And I knew the laws. He 11:01	10 That's not what happened. After a long 11:03
11 was a legit officer at that time. 11:01	11 discussion in private that we don't have access to -- 11:03
12 He acknowledged that "You're right. If the 11:01	12 they turned off their cameras and they deleted stuff. 11:03
13 seat belt is installed and there's sufficient space and 11:01	13 We don't know what was said. I've asked multiple times. 11:04
14 it's secured properly, you can have a seat belt added." 11:01	14 I know what they said. I know what was going on. I'm 11:04
15 And he said, "You're right. I'm sorry I pulled you 11:01	15 pretty smart. 11:04
16 over. Have a good day. It was nice to see you again." 11:01	16 He comes back and he's like, "Well, I would 11:04
17 He just wanted to make sure everyone was safe. 11:02	17 have done" -- 11:04
18 It was a legitimate stop in the sense that he 11:02	18 I go, "You wouldn't have done this." And he 11:04
19 was concerned. And I like him as an officer. The first 11:02	19 lied to me. He lied. 11:04
20 stop. Not this one. This one -- they already knew it 11:02	20 He goes, "I would have done the same thing." 11:04
21 was legit, and that's how shady this was. Even after 11:02	21 "You just -- you pulled us over just like a 11:04
22 knowing -- his sergeant knew we were legit. We have a 11:02	22 month ago for the same thing and you said we're fine. 11:04
23 record of him pulling us over. We have a record of him 11:02	23 You're lying." But I didn't say he's lying. Right? 11:04
24 saying, "Go ahead and drive on, keep going. Everything 11:02	24 Because I don't want to escalate things and I don't want 11:04
25 is fine." We didn't complain about it. We try to be 11:02	25 to cause trouble. That's what the paperwork is for. 11:04
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1 good to people. People make mistakes. Maybe he just 11:02	1 That's why we're in court. 11:04
2 wanted to know. I'm flexible with people. Okay. 11:02	2 So I go, "He doesn't have his name badge. Look 11:04
3 So even after that, he shows up. And was I 11:02	3 (indicating)." Sorry. I'm pointing at him. 11:04
4 complaining about this? Yes, I was. I was saying, "You 11:02	4 THE WITNESS: I don't mean to point at you, but 11:04
5 already know this is legit. You personally inspected 11:02	5 he was over there. I'll point some other way. 11:04
6 our truck previously and you said we could go" because I 11:02	6 "Look at his -- he doesn't have his nametag -- 11:04
7 didn't want to argue with him. I was trying to be 11:02	7 his nametag is folded over (indicating)." I was acting 11:04
8 quick. Right? 11:02	8 calm then. Not like this. Right? I was very calm 11:04
9 If you come in an argumentative position -- 11:02	9 because they have guns. They're not there to help me. 11:04
10 because for me to sit there and push it on him hard and 11:02	10 Right? They're not doing public service. They're 11:04
11 say, "You already said this was fine," I don't want to 11:02	11 trying to arrest somebody who is doing Bible, helping 11:04
12 be aggressive. You guys are lawyers. I told them or do 11:02	12 out the community. 11:04
13 something with paperwork. We're not going to give 11:02	13 You could not -- it was folded over like I've 11:04
14 anybody any trouble. We're out on the street. You 11:03	14 never seen before. These uniforms are strong. It is 11:04
15 already knew this was legit. So this guy -- you would 11:03	15 strong material. They're quality. You can look at any 11:04
16 not support him. And I'm asking you nicely that you 11:03	16 uniform if you're investigating at all. This is how he 11:04
17 already know what's going on here. You know who we are. 11:03	17 showed up. He got -- he already folded it over before 11:05
18 You know that we're a trash company." He knew all this. 11:03	18 he came up to my car. I said, "This is not okay." He 11:05
19 I said, "You have my business card. It says 11:03	19 refused to give me -- he refused to give me his card. 11:05
20 trash on it. We did trash for you." This was all 11:03	20 I also told him he refused to look in the book. 11:05
21 straight. We were doing good. I'm like, "Could you 11:03	21 He wouldn't even read me the code. He wouldn't even 11:05
22 just talk to him nicely and say, 'Hey, not only does the 11:03	22 tell me the charge. And at the time I had it memorized. 11:05
23 driver not have to enforce a passenger, the federal law 11:03	23 I was doing better back then because I knew about stuff. 11:05
24 says a two-point, which you already acknowledged. We're 11:03	24 It's 13-whatever something seat -- seat belt must be 11:05
25 in the duty of delivering trash. We don't need to have 11:03	25 installed. 11:05
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1	It means you must have a seat belt on, simply	11:05
2	said. It doesn't matter if it's a factory seat. That's	11:05
3	what I was telling him. It doesn't matter if it's a	11:05
4	factory seat belt. It doesn't matter if you buy it. As	11:05
5	long as it's certified a certain rating they have. And	11:05
6	I have it memorized, and I have all that in federal	11:05
7	code. As long as it's safe. Right? It can't be a	11:05
8	cheap one.	11:05
9	In fact a seat belt, as I told him -- right? --	11:05
10	a seat belt, they're only good for, like, five years.	11:05
11	Five years most of them. You buy a brand-new car, it's	11:05
12	only legal for like five years. And guess what? You're	11:05
13	going to have to switch it if you want to be all	11:05
14	compliant.	11:05
15	And the law says -- and I explained it to them	11:05
16	too. In the vehicle there's certain parts of the	11:06
17	vehicle that you do have to have factory. I don't lie.	11:06
18	Right? Like a computer that runs the thing. You can't	11:06
19	get an aftermarket and reprogram it. It has to be a	11:06
20	real computer one. It has to be brakes, the engine	11:06
21	stuff.	11:06
22	BY MR. HERNANDEZ:	11:06
23	Q. So just --	11:06
24	A. Did I answer it pretty good? I have a lot of	11:06
25	complaints.	11:06
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1	Q. So you spent the time while you were at the	11:06
2	scene explaining this to Sergeant O'Brien; right?	11:06
3	A. Not very detailed like I am now. Not as	11:06
4	detailed because I have to do it properly. He said,	11:06
5	"You need to fill out a form, go into the office," which	11:06
6	I did. I filled out a complaint. And I asked him at	11:06
7	that time, "All you had to do was say you're sorry and	11:06
8	dismiss it. That's all you guys had to do." And they	11:06
9	refused to do it.	11:06
10	And then they dragged me into court all the way	11:06
11	down to Fontana an hour and something from my house.	11:06
12	There's snow. There's rain. There's fires going on.	11:06
13	Q. So --	11:06
14	A. And the judge goes, "There's no case here."	11:06
15	Q. So at some point, though, you did -- were	11:06
16	issued the citation; right?	11:07
17	A. At the very end, yeah. That's the only time I	11:07
18	got his name, which he would not read to me.	11:07
19	Q. So the citation you signed; right?	11:07
20	A. Yes.	11:07
21	Q. And my understanding is that you wrote you	11:07
22	signed it under duress. Right?	11:07
23	A. Yes. Well, that's the proper way to do if you	11:07
24	feel it's an illegal traffic stop.	11:07
25	Q. So I've cued up --	11:07
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1	A. I answered you.	11:07
2	Q. I cued up the area where the ticket is. It's	11:07
3	at about 17:30.	11:07
4	Do you see that, sir, at the bottom 17:30?	11:07
5	A. Do you see his name? Look at his uniform.	11:07
6	Q. Okay.	11:07
7	A. You guys should all be concerned.	11:07
8	Q. Sir, I'm just going to run the video for a	11:07
9	moment here. Okay. Ready?	11:07
10	A. Yeah. Do you see his name?	11:07
11	(Playing video; inaudible.)	11:07
12	BY MR. HERNANDEZ:	11:08
13	Q. Okay. So --	11:08
14	A. He changes the claim.	11:08
15	Q. -- at 17:44 you've been handed the ticket;	11:08
16	right?	11:08
17	A. Yes.	11:08
18	Q. Okay. And then you're having additional	11:08
19	discussion with Sergeant O'Brien about the ticket;	11:08
20	right?	11:08
21	A. Correct.	11:08
22	Q. Okay. What was your discussion with Sergeant	11:08
23	O'Brien about the ticket?	11:08
24	A. He literally took over the traffic stop, which	11:08
25	is not normal. Right? Bates is the arresting officer	11:08
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1	in theory. Right? He's going to be -- he shows up. He	11:08
2	was only supposed to be there to decide if this was a	11:08
3	valid ticket or not, which he supported. He lied. He	11:08
4	said, "I would have done the same thing."	11:08
5	So as you can see, his name shows us. This guy	11:08
6	is legit compared to the other guy. He's at risk of	11:08
7	losing his job to support his friend. It's pretty sad.	11:08
8	Notice what he said. "The ticket that you're being	11:08
9	given" -- he's the closer officer. The other guy knows	11:08
10	he's shady. You can tell by physical demeanor. Look	11:08
11	how far away the officer was, the shady one. He's not	11:09
12	even near me. He hands it to me, and he's way back	11:09
13	there. I'm not a threat to him.	11:09
14	This guy knows, though. He's a real -- he's	11:09
15	human. People are good, they get near you. They're	11:09
16	not -- they're human. They're normal people. Right?	11:09
17	They don't stand way over there. If they're doing	11:09
18	something bad, that's what they do. They have bad	11:09
19	signs.	11:09
20	He's literally telling me, "The ticket that	11:09
21	you're holding in your hand" -- right? -- "is not for	11:09
22	what the ticket says." Did you notice that? The ticket	11:09
23	is for having four people in the vehicle. And you	11:09
24	skipped a lot of stuff here. Right?	11:09
25	You missed the part where he lies to him and	11:09
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1	says, "It does say in the law" -- that big book -- "it	11:09	1	ask me a question, I'm going to say things.	11:11
2	had to be factory." He straight lied to him. You	11:09	2	Q. Okay. So I'm quickly fast-forwarding. It's	11:11
3	think -- just the fact that people are lying under oath	11:09	3	jumping about every ten seconds. And it shows your	11:11
4	is not okay. It's not okay.	11:09	4	conversation with officer -- Sergeant O'Brien.	11:11
5	So he's telling me, "The reason you're getting	11:09	5	Do you agree?	11:11
6	this ticket now is for having four people." It doesn't	11:09	6	A. Uh-huh.	11:11
7	have to do with the seat belt anymore. But he does let	11:09	7	Q. Yes?	11:11
8	us leave. If this is really legit, he would have said,	11:09	8	A. Yeah.	11:11
9	"Stay on the side of the road, somebody. Only leave	11:10	9	Q. Okay.	11:11
10	with three people." Right? That would have been normal	11:10	10	A. He did not say I'm free to go yet, so don't --	11:12
11	behavior. If they thought we were really wrong -- if he	11:10	11	please don't manipulate this court system process here.	11:12
12	thought in his mind -- so he violated the oath of law,	11:10	12	Just because someone is handed a ticket, you're not free	11:12
13	you could say, if you thought about it, both of them.	11:10	13	to go until they say, "You can go." I'm out in the	11:12
14	If we were endangering my daughter by not	11:10	14	street here in front of two cops. He didn't say, "Do	11:12
15	having the -- whatever seat belt they felt should have	11:10	15	you want to talk to me about something else, but you're	11:12
16	been there, she should -- "One of you guys got to stay	11:10	16	free to leave." You know they have to say, "You're free	11:12
17	on the side of the road. You go drive, drop people off,	11:10	17	to leave." You know this. Don't manipulate, please.	11:12
18	and come back and pick them up, because we don't want	11:10	18	You're a lawyer.	11:12
19	anybody getting hurt."	11:10	19	Q. So we are now at 26:54, and at that point.	11:12
20	This is a good case. By admission "You guys	11:10	20	(Playing video.)	11:12
21	can go." The same thing. Seat belt was already on her	11:10	21	THE WITNESS: Look how nice I was to them. I	11:12
22	anyways. Right? Put it back on and drive away on a	11:10	22	try to be nice to everyone until I figure out who they	11:12
23	major Highway 18. So he had to have believed we did	11:10	23	are. Right?	11:12
24	nothing wrong. His sergeant allowed us -- they both	11:10	24	BY MR. HERNANDEZ:	11:12
25	allowed us to leave. You guys know this.	11:10	25	Q. So at 27 minutes and a few seconds you shook	11:12
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1	If it was a DUI, they're not going to let you	11:10	1	both Sergeant O'Brien and Officer Bates' hands; correct?	11:12
2	drive. If you're breaking the law, they're going to	11:10	2	A. Yep.	11:12
3	arrest you. They're not going to let you, "Okay. Go	11:10	3	Q. Because you're being nice?	11:12
4	violate -- keep driving with the seat belt thing and	11:10	4	A. That doesn't mean I'm free to go.	11:12
5	we're going to pull you over again in another five	11:11	5	Q. You're being nice; right?	11:12
6	minutes." This is a solid case.	11:11	6	A. This is the arresting officer. You should know	11:12
7	So he's now changing the ticket causing an	11:11	7	the law. I hope you're studying.	11:12
8	argumentative. Right? You think about it. I should be	11:11	8	Q. Okay.	11:12
9	arguing, but I'm not. I should be going, "Why am I	11:11	9	A. He has to tell me I can go.	11:12
10	getting a ticket for a seat belt when you're saying it's	11:11	10	Q. Okay. So at this point, though, you shake	11:13
11	for four people? If it's four people, then one of them	11:11	11	their hands?	11:13
12	should stay on the side of the road."	11:11	12	A. That was my choice. I chose to. I can shake	11:13
13	Q. So just to confirm, at 17:44 you already had	11:11	13	your hand. See, you don't want to shake my hand. Or	11:13
14	the ticket that you signed under duress in your hand;	11:11	14	you do. Okay. See, if I shook your hand doesn't mean	11:13
15	right?	11:11	15	this deposition is over, does it?	11:13
16	A. Right. I'm still making a complaint. The	11:11	16	Q. We're at 27:03. And at that point -- you	11:13
17	ticket is still -- I don't agree with the ticket.	11:11	17	believe at that point you're now free to go; right?	11:13
18	Q. Right.	11:11	18	A. No, I didn't. I know the law. I don't believe	11:13
19	So then --	11:11	19	that.	11:13
20	A. And he's trying to push it on me that it's	11:11	20	Q. Okay. So you're walking away from both --	11:13
21	valid, and I don't agree with it.	11:11	21	A. He has to say I'm free to go. He'll say it	11:13
22	Q. I'm just going to fast-forward this.	11:11	22	after a while if you listen. They didn't do the stop	11:13
23	A. Okay.	11:11	23	right. It's not a proper stop.	11:13
24	Q. Just -- you know.	11:11	24	Q. So the video ends 27 minutes after it started,	11:13
25	A. I'm answering your questions. You know, if you	11:11	25	27:10.	11:13
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1	At that point what do you do?	11:13	1	He goes, "You did nothing wrong." And he	11:15
2	A. We drive away, I'm sure, which to me I was -- I	11:13	2	drives away.	11:15
3	didn't want to say it because I didn't want any more	11:13	3	Q. Okay.	11:16
4	problems with the cops. Right? The only thing they had	11:13	4	A. He's on my private road.	11:16
5	if they were going to claim the fourth person or the	11:13	5	Q. This incident you just described --	11:16
6	seat belt, we should not have been allowed to drive	11:13	6	A. So because of all these things, which	11:16
7	away.	11:13	7	accumulates in the factual pullover, which was factually	11:16
8	This was -- if they're going to claim that's	11:13	8	awarded in court. Here's the damages: I had to put up	11:16
9	their argument, it's a whole 'nother charge. Somebody	11:14	9	16 cameras at my house.	11:16
10	in the jury -- someone is going to be mad. You're going	11:14	10	Q. So then the incident you just --	11:16
11	to let people knowingly drive down the road if you don't	11:14	11	A. So that when he does it again, we have it on	11:16
12	think they have a proper seat belt. If they got in a	11:14	12	film. When they're driving up on my street -- he also	11:16
13	wreck, you could sue the highway patrol for that.	11:14	13	drove down on Chipmunk following us.	11:16
14	Q. Okay. So once this -- once the stop was over	11:14	14	Then another time on there -- if you knew the	11:16
15	you --	11:14	15	area, they don't have any reason to be out there. No	11:16
16	A. That's the whole case.	11:14	16	crime. This is a very rich, nice -- they just don't	11:16
17	Q. -- left and where did you go?	11:14	17	have that type of crime. Not in there. Other areas.	11:16
18	A. It's the fact we left.	11:14	18	There's no reason for the highway patrol to be driving	11:16
19	Q. Where did you go?	11:14	19	around there looking in my truck like this and slowing	11:16
20	A. We were freaked out. We were freaked out. I	11:14	20	down. I thought he was going to get us then. That time	11:16
21	have to do a lawsuit. We had other customers. I think	11:14	21	he let us go. I don't know what he's up to. He's	11:16
22	I went to another house to pick up some more trash, but	11:14	22	looking for something.	11:16
23	we were in a problem because he delayed us so long that	11:14	23	Q. That incident you just described that was in	11:16
24	we don't -- we're not late. I've been late once all	11:14	24	front of your house --	11:16
25	year. I wasn't late to this either. He causes a lot of	11:14	25	A. Yes.	11:16
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1	harm.	11:14	1	Q. -- was that before or after --	11:16
2	Q. Okay. What harm --	11:14	2	A. Before this.	11:16
3	A. We need to do paperwork now.	11:14	3	Q. Before --	11:16
4	Q. What harms did he cause you, Officer Bates?	11:14	4	A. After I filed a complaint, everything has got	11:16
5	A. I have been supporting the highway patrol for a	11:14	5	better. A miracle. Everything's gotten better.	11:16
6	long time. I have friends that work there. I won't say	11:14	6	Lawsuits work.	11:17
7	names. I have worked on their houses, multiple highway	11:14	7	Q. So this incident you just described that's on	11:17
8	patrol officers.	11:15	8	video?	11:17
9	Because of this, I am 100 percent convinced	11:15	9	A. No. That's why I got the cameras. I mess --	11:17
10	that they are being paid off by Burrtec to harass me.	11:15	10	this is regretful. When you don't film, you always	11:17
11	They have impounded my vehicle. They pulled me over at	11:15	11	regret it. You guys are filming for a reason; right?	11:17
12	another place. They stalk me on my street. This same	11:15	12	Q. Okay. So let's talk about your damages.	11:17
13	officer is so shady. I hope you're a good lawyer. I	11:15	13	What damages do you claim as a result of the	11:17
14	hope you are, deep down somewhere.	11:15	14	incident that you filed a lawsuit?	11:17
15	My house is on a private road. That same	11:15	15	A. I mean, they have multiple -- they charge --	11:17
16	Officer Bates was parked -- I have 16 cameras at my	11:15	16	they cost me for towing. You know how much it cost me	11:17
17	house now, so I'll explain -- I'll have to explain what	11:15	17	to get my truck towed from Hesperia? This is how shady	11:17
18	they did, and then I'll get to the damage to make more	11:15	18	they are. You're not sure at all what's going on.	11:17
19	sense.	11:15	19	When you tow a vehicle, you tow it by law to	11:17
20	He's parked in front of my car on my property,	11:15	20	the nearest yard. Because it's a commercial truck --	11:17
21	highway patrol, on my private road. This is a private	11:15	21	right? -- they took it, I believe, absolutely	11:17
22	road. Why is he out there? I have to come out of my	11:15	22	intentionally -- because look at all the tow yards. I	11:17
23	house. I have to bring witnesses, start filming, "Hey,	11:15	23	called them all to check too. They'd all take it. They	11:17
24	why are you on my street running my license plates on my	11:15	24	love my truck because when they tow a truck this	11:17
25	vehicles on my private street?"	11:15	25	valuable, they make a lot of money. The highway patrol	11:17
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1 makes a lot of money. The courts make a lot of money, 11:17	1 A. You get that connection. There is a 11:19
2 and the tow company makes a killing. Right? If they 11:17	2 connection. 11:19
3 get the truck, it's a 45-day lien sale. 11:17	3 Q. You just explained to me -- 11:19
4 What they do is they make the tow so expensive 11:17	4 A. It's a history of abuse. 11:19
5 you can't pay it. And if you don't pay it, they get 11:18	5 Q. You just explained to me that your vehicle was 11:19
6 your vehicle for free. So what they did is they towed 11:18	6 towed to, I guess, Hesperia which cost you -- 11:19
7 it -- you know where Hesperia is probably? I don't know 11:18	7 A. Thousands. 11:20
8 where you're from. I live in Lake Arrowhead. Right? 11:18	8 Q. -- lots of money -- 11:20
9 It was in Crestline at the time. We ran out of 11:18	9 A. Thousands. 11:20
10 gas because of a steep hill. The needle wasn't 11:18	10 Q. -- to get your vehicle back because of the lien 11:20
11 accurate. Right? So we ran out of gas. Something 11:18	11 sale and whatnot. 11:20
12 happened, boom. We went to go get gas. In less than 11:18	12 My question to you is, though, how does your 11:20
13 five minutes -- I think they had a tracker on, but I 11:18	13 truck being towed connect to this incident that we're 11:20
14 can't prove that. Right? 11:18	14 here to discuss? 11:20
15 Somehow my truck, the same guy comes out and 11:18	15 A. There you go. I thought he was going to do 11:20
16 calls a tow company from Hesperia. This isn't even 11:18	16 that again. I told you that previously. You might not 11:20
17 normal if you call the normal line and say I need a tow. 11:18	17 have wrote it down. I believe they were trying to get 11:20
18 Tows it all the way down there. Do you know how much it 11:18	18 me for impeding an investigation. They didn't have 11:20
19 cost to get it out of impound? Thousands and thousands 11:18	19 anything, not on the seat belt. It's not something you 11:20
20 of dollars. And guess what? You can't go pick it up. 11:18	20 can put someone in jail for. 11:20
21 You've got to get it towed back to your place. It's a 11:18	21 Even if he said -- as long as you signed the 11:20
22 super shady deal. 11:18	22 ticket -- and he tried to say I wouldn't sign the 11:20
23 Q. Are you saying as a result of this incident 11:18	23 ticket. He lied under oath on his -- as a sworn officer 11:20
24 when you were pulled over, your truck was towed? 11:18	24 too. He told that to his sergeant, that I refused to 11:20
25 A. No. 11:18	25 sign the ticket. That's nowhere on the video. Why 11:20
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1 Q. Okay. Explain to me how that connects with 11:18	1 would I refuse? I knew you could be arrested. Say I'm 11:20
2 this incident, though. How does a tow -- 11:18	2 not signing -- why -- if I don't refuse, you go to jail. 11:20
3 A. Now I can't drive anywhere without witness. I 11:18	3 Everybody knows that. You have to sign even if you're 11:20
4 don't drive anywhere. Ask my family. We don't -- look 11:19	4 innocent. 11:20
5 at my wife is here. She doesn't need to be here. She's 11:19	5 He claimed that. So I thought he was going to 11:20
6 here for my safety for your behavior, anybody's 11:19	6 get me for impeding an investigation, which he could 11:20
7 behavior. 11:19	7 have then arrested me, just causing everybody to have 11:20
8 I'm a famous -- look it up online. I'm a 11:19	8 trouble. Then he was going to impound my truck 11:21
9 famous -- I'm the only free Bible translator in the 11:19	9 illegally because, remember, it was a passenger seat 11:21
10 whole world. You may not understand all that. There's 11:19	10 belt. It wasn't -- I had a seat belt. We all had seat 11:21
11 reasons. There's things I expose as a good person about 11:19	11 belts on factually. He was going to take my truck. I 11:21
12 what's being done wrong in churches, which is causing 11:19	12 knew how much it was going to cost. He was going to do 11:21
13 people to quit churches. And we're trying to -- we 11:19	13 the same thing, take it to Hesperia instead of right 11:21
14 don't want devasation. We want people to know that 11:19	14 there up on the mountain, Mountain Towing. It's right 11:21
15 leaders are shady. The system is shady. If you do 11:19	15 there. 11:21
16 things right, it all works out. 11:19	16 Q. So from what I understand -- 11:21
17 And that's why I'm doing this. I'm trying to 11:19	17 A. And he should have left it on the side and we 11:21
18 prove to the people lawsuits work. Don't get angry. 11:19	18 could picked it up. It's all connected. 11:21
19 Don't picket and break things down. 11:19	19 Q. Just so I have it clear, the towing occurred 11:21
20 Q. I just want to know what the connection is that 11:19	20 prior to this incident? 11:21
21 you see between your truck being towed -- 11:19	21 A. Correct. 11:21
22 A. The trust, the emotional distress beyond 11:19	22 Q. Okay. While you were at the scene -- 11:21
23 belief. 11:19	23 A. Emotional distress. 11:21
24 Q. Wait. Hold on. 11:19	24 Q. -- you were concerned that the truck was going 11:21
25 You just -- 11:19	25 to be towed and you would have to deal with getting the 11:21
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1 car out again, the vehicle? 11:21
2 A. That's why I got the sergeant to show up. It's 11:21
3 another reason. If he was there, he would not allow 11:21
4 that because it's hard to believe the sergeant would go, 11:21
5 "It's a seat belt. Let's not tow the truck. If you 11:21
6 want to give him a ticket, give him a ticket." That's 11:21
7 what would have been said. He was my safety. Without 11:21
8 that, I think it would have got a lot worse really 11:21
9 quick. 11:21
10 Q. Okay. So then your truck did not get towed -- 11:21
11 A. No. 11:22
12 Q. -- as a result of this incident? 11:22
13 A. It's common sense. They tow it, though. 11:22
14 Q. What other claims of damage do you have related 11:22
15 to this incident? 11:22
16 A. Emotional is the biggest thing. And the fact 11:22
17 that our jobs -- it messed up my jobs. Now we've been 11:22
18 having to do paperwork. Right? We're not lawyers. We 11:22
19 have to learn lawyer stuff. Right? How much time are 11:22
20 we learning, studying. Today I got the wrong -- with 11:22
21 the California thing. That's my bad. I thought it was 11:22
22 the federal one. Just today. 11:22
23 So instead of doing Bible, free counseling -- 11:22
24 we take people to horse camp, we pay for it. When we 11:22
25 make money, guess what? Our money goes to help others. 11:22
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1 We don't take donations. No one donates to me. Right? 11:22
2 I need to be working. I need to be helping out the 11:22
3 community. Now guess what? 11:22
4 What's the highest priority. We're not going 11:22
5 to be doing anything if they put me in jail. If I get 11:22
6 put in jail and my -- if my truck is taken away for good 11:22
7 this time because they can claim how many times we had 11:22
8 to tow it -- the cops can be as shady as they want to 11:22
9 be. You don't know how much power they have. It's in 11:22
10 there -- they're an instant judge. When they show up, 11:23
11 they make a decision. Right? You can appeal it later. 11:23
12 But in the meantime your truck is in the pound. 11:23
13 You can't work. You can't -- our job is our truck. 11:23
14 Without a truck we have no income. 11:23
15 Q. Okay. So let's talk about the emotional 11:23
16 distress. 11:23
17 So you just mentioned numerous things. One, 11:23
18 you said you had to take time away from -- 11:23
19 A. Working. 11:23
20 Q. -- your religious work and other work -- 11:23
21 A. And doing free Bible translating. 11:23
22 Q. -- to do, I guess, legal research and legal 11:23
23 stuff? 11:23
24 A. Yeah. 11:23
25 Q. Okay. 11:23
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1 A. You know, you went to law school. 11:23
2 Q. Okay. 11:23
3 A. Work with me. 11:23
4 Q. So that's one clear damage; right? 11:23
5 A. We're still doing paperwork. 11:23
6 Q. Okay. 11:23
7 A. I'm at a deposition today. 11:23
8 Q. Right. So -- 11:23
9 A. I'm the victim being deposed. This is 11:23
10 additional harassment, which we'll allege. Right? Of 11:23
11 course you're going to say you're allowed to do it. 11:23
12 Q. In terms of your emotional distress, have you 11:23
13 sought any -- 11:23
14 A. Do I look distressed now? 11:23
15 Q. Have you sought any medical treatment for 11:23
16 emotional distress, sir? 11:23
17 A. No. Because bad things happen to everybody. 11:23
18 Q. So you haven't -- 11:24
19 A. You got to deal with it. 11:24
20 Q. You haven't sought -- 11:24
21 A. I have stress for sure. Look how stressed out 11:24
22 I am with you. I'm starting to wonder if -- you know, I 11:24
23 know you represent them, but now I'm starting to wonder 11:24
24 how much are you on their side. It's concerning at this 11:24
25 point, yes. 11:24
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1 I've never seen a guy do this (indicating) 11:24
2 that was a lawyer. Cops do that. So I don't know if 11:24
3 you're an ex-cop. 11:24
4 Q. So you didn't seek therapy for the emotional 11:24
5 distress; right? 11:24
6 A. No, I did not. 11:24
7 Q. Okay. 11:24
8 A. I talked to people. I have a cop that's a 11:24
9 counselor. He does it for free for me. 11:24
10 Q. Okay. Have you expended any funds for 11:24
11 treatment of your emotional distress? 11:24
12 A. My time. Time is everything. Do you know that 11:24
13 you're on a clock? What is your value of your time? 11:24
14 How many years do I have to sue the highway patrol to 11:24
15 get them to stop? Guess what? They stopped pulling me 11:24
16 over. 11:24
17 Q. Okay. Can you estimate -- 11:24
18 A. It used to be every couple months. 11:24
19 Q. Can you estimate for me how much time you 11:24
20 believe you have spent dealing with emotional distress 11:24
21 resulting from this stop? 11:24
22 A. Every day. Think about it. I have to counsel 11:24
23 my kids to remind them that not all cops are bad, but if 11:25
24 you see a bad sign, I have to explain they need -- I 11:25
25 have to train my kids how to do legal stuff. And I'm 11:25
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1 not even a lawyer. 11:25	1 Q. Okay. So part of your damage claim -- 11:26
2 "When I'm dead, they're going to come after 11:25	2 A. Continue. After today you're going to have 11:27
3 you." We're building the only free church in the world. 11:25	3 paperwork. I've got to go to trial. It's going to keep 11:27
4 They've already -- did you see all the cases I've got? 11:25	4 going on. We already won the case. I don't know why 11:27
5 We have cases against San Bernardino County Code. They 11:25	5 you guys are even doing this. It makes no sense. 11:27
6 did over 300 cases factually if you're going to put it 11:25	6 The judge already said you guys did wrongdoing 11:27
7 on the news. And I won every case. They went out to my 11:25	7 factually. The judge. Not me. Not a -- he said you're 11:27
8 property. They cut our cables out there. You think I 11:25	8 wrong. And he admitted to it. He said, "You're right. 11:27
9 don't have emotional distress? 11:25	9 I did it wrong." He said why he did it wrong. "I was 11:27
10 We have factual admission that the County of 11:25	10 trained improperly." That's his excuse. 11:27
11 San Bernardino cut my security cables. Factually it's 11:25	11 Q. So, Mr. Macy, then in terms of your emotional 11:27
12 on record. You have film of it. They admitted to it. 11:25	12 distress claim -- 11:27
13 This is all related. That's what I'm saying. It's -- 11:25	13 A. Do I look distressed? 11:27
14 what do they call it? -- a conspiracy. 11:25	14 Q. You just told me you had an emotional distress 11:27
15 Q. And you believe -- 11:25	15 claim. 11:27
16 A. You don't think we have distress from this? 11:25	16 A. I got the lawyer -- the top lawyer of the state 11:27
17 Q. Just I understand, so you had emotional 11:25	17 going like this to me, "You need to stop (indicating)." 11:27
18 distress from other -- 11:25	18 And you get paid by them. I'm not in good shape. 11:27
19 A. County agencies, government agencies. 11:26	19 Q. Sir, once again, regarding your emotional 11:27
20 Q. Okay. 11:26	20 distress claim alleged in this incident, part of the 11:27
21 A. We believe they're colluding all together. 11:26	21 stress is related to you having to learn legal -- 11:27
22 Q. Okay. 11:26	22 A. Yeah. 11:27
23 A. These are our allegations, but they took it out 11:26	23 Q. -- stuff; right? 11:27
24 of this case. 11:26	24 A. It's not easy. I didn't go to law school. 11:27
25 Q. And then as a result of the emotional distress 11:26	25 Q. Right. 11:27
Page 134	Page 136
1 that you had related to all these other agencies -- 11:26	1 A. I had to file this by myself going, God, if I 11:27
2 A. Your guys popped it the most because you've got 11:26	2 can do Bible -- I know Bible law. And that's where the 11:28
3 me going into trial. 11:26	3 laws came from. They're getting more jacked up. I 11:28
4 Q. Okay. 11:26	4 should be the most protected person by law. I don't 11:28
5 A. Those ones were fines. Yours is criminal. If 11:26	5 know if you even understand this. There are laws to 11:28
6 you don't show up to trial, you go to jail. 11:26	6 protect me. 11:28
7 Q. So then you already had emotional distress? 11:26	7 Look what you're doing. I'm in a deposition. 11:28
8 A. Correct. 11:26	8 You've got a free Bible translator who helps the 11:28
9 Q. And this -- 11:26	9 community factually. Everybody knows us up there. We 11:28
10 A. Set it off. 11:26	10 are well liked. You know why the community doesn't know 11:28
11 Q. -- made it worse? 11:26	11 is because I don't want them to know. This is 11:28
12 A. This was -- there's no doubt that the County 11:26	12 embarrassing. If they found out, there probably would 11:28
13 is, absolutely correct. There's no doubt that the 11:26	13 be riots. 11:28
14 highway patrol -- guess what? They all get paid from 11:26	14 Q. So any other claims of damage other than 11:28
15 the same people. 11:26	15 emotional distress? Do you have any wage loss, loss of 11:28
16 Q. So then -- 11:26	16 wages, anything like that? 11:28
17 A. You're getting paid by the people that are 11:26	17 A. You got today. I'm down here doing what? 11:28
18 going after me. This is crazy. And you're the top of 11:26	18 Q. Okay. 11:28
19 the line. 11:26	19 A. Do you know I don't come down here for safety 11:28
20 Q. And then the emotional distress was exacerbated 11:26	20 reasons too. I don't come down here. This is not a 11:28
21 as a result of this -- 11:26	21 safe place. San Bernardino is very crime. If I get 11:28
22 A. Exasperated is a good way to say it, yeah. 11:26	22 invited to go the Vatican, I don't go because I could 11:28
23 Q. Exasperated or exacerbated? 11:26	23 get -- I don't think you understand. I'm the only free 11:28
24 A. Remember, we have to do legal paperwork now 11:26	24 Bible translator. 11:29
25 because of this talk. Right? 11:26	25 Q. Explain -- 11:29
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1 A. There's not another one. 11:29	1 trying to do this free church -- I built houses before. 11:31
2 Q. You've mentioned -- 11:29	2 I had no trouble with that. The County was great. When 11:31
3 A. You don't get that. 11:29	3 I went to do a free church, they went and cut my cables 11:31
4 Q. You know, you've mentioned that numerous times. 11:29	4 at least five times. My security. My security. I 11:31
5 A. I don't think you understand why that's 11:29	5 can't put parts out there to build a church because they 11:31
6 important. 11:29	6 will be taken. 11:31
7 Q. Yeah. 11:29	7 Guess who was taking this stuff? The County of 11:31
8 Explain to me what that is. 11:29	8 San Bernardino, CSA 18 factually. They admitted to it. 11:31
9 A. It's super important. 11:29	9 When I filed a complaint, it went to the local office. 11:31
10 Q. Well, what is it? 11:29	10 I didn't know the law at the time. Right? It was 11:31
11 A. The Bibles -- it's the -- first of all, it's 11:29	11 supposed to go to Risk Management. You probably know 11:31
12 free. That's -- anyone understands free. Free is good. 11:29	12 this stuff. They threw it in the trash. 11:31
13 No one does free. 11:29	13 So when I went to do this -- well, guess 11:31
14 Q. Okay. 11:29	14 what? -- it expired. You have six months to file 11:31
15 A. That's how you -- you work in pro bono for 11:29	15 something. I go, "They destroyed it." 11:31
16 somebody for some reason. That's a good deed. You're 11:29	16 And they were, "Well, yeah. We had, but, you 11:31
17 going to -- if it's a good cause, you do it for free. 11:29	17 know." This -- the guy who cut my cables went out there 11:31
18 So this is why it's important: Every Bible 11:29	18 with two workers, and the guy right in front of us cut 11:31
19 since 1611 has been copyrighted. Copyrighted. You're a 11:29	19 our cables. We thought he was going to go out and fix 11:31
20 lawyer. Hopefully you know about it. You can't speak a 11:29	20 it. We're trying to be Bible, Godly. Right? 11:31
21 Bible without violating copyright law. You can't print 11:29	21 This is real stuff. I'm not, "Hey, people make 11:31
22 a Bible verse. If you want a red shirt that says, "I 11:29	22 mistakes. Could you please put our security back. 11:32
23 love God based on John" whatever, it's a federal 11:29	23 That's it. We don't want to sue. We don't want any 11:32
24 violation. It's two years in federal prison and up to 11:29	24 trouble." 11:32
25 \$150,000 fine per infraction. 11:29	25 He goes out there with two thug guys from 11:32
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1 I give the only free -- when I mean "free," you 11:29	1 San Bernardino. Instead he takes our "no trespassing" 11:32
2 can print it. You can speak it. If you read it, you 11:29	2 sign. He says, "Remove it, then. We'll solve it that 11:32
3 can look it up, 1611bible.us and do the brainwash test. 11:29	3 way." We were told that the meeting was going to be 11:32
4 I'm a major threat -- a major threat to corrupt 11:30	4 peaceful and he was going to put a government -- you 11:32
5 organizations. Because when you tell someone you're a 11:30	5 know, they were going to pay the government money to put 11:32
6 Bible translator, even brainwashed people go, "Well, 11:30	6 back security. 11:32
7 that's a pretty high position." Right? 11:30	7 Instead he cuts the cable, pulls up our thing, 11:32
8 So if you say something, it's considered very 11:30	8 breaks our glasses to keep people from going off the 11:32
9 credible. Right? So saying that -- so they think 11:30	9 cliff on this other section. It's a big property. 11:32
10 pastors are supposed to be good. Right? I'm a Bible 11:30	10 37 acres. God blessed us with it because we're honest 11:32
11 translator. Right (indicating)? 11:30	11 and legitimate, so we have the best property there is. 11:32
12 And if I tell you these bad things are 11:30	12 So that's part of the problem too. The 11:32
13 happening, people believe it. And then when they read 11:30	13 County -- there's another department -- the water 11:32
14 it and they go, "Wow, it's true." Then they find out 11:30	14 company is out there. We won the suit against them. 11:32
15 churches are robbing them. They're telling them to bow. 11:30	15 They illegally put locks up on our property. They 11:32
16 You're not supposed to bow. It's in your Bible. You're 11:30	16 didn't even service water. 11:32
17 not supposed to give in public. If you donate in an 11:30	17 But they, through talking and negotiations, 11:32
18 offering plate, it's a word-for-word sin. I'm a major 11:30	18 went out and removed that stuff that they illegally put 11:32
19 threat to these churches. Do you understand it? 11:30	19 out there. They promised to not go out there and 11:32
20 Their pocket -- their money would drop like a 11:30	20 destroy our property anymore. The County has been 11:32
21 rock if they told the truth. If people knew that you're 11:30	21 dumping trash out there, cutting our cables. So now we 11:32
22 not supposed to call someone a pastor -- it's a 11:30	22 show up, and we don't want any crime. No crime. It 11:33
23 violation of the Bible. They don't know this. I'm the 11:30	23 represents me. If bad things happen, they're going to 11:33
24 only person risking my life to tell people this. 11:31	24 say it's me. So we need to protect it. 11:33
25 I'm trying to build a free church. While 11:31	25 Then the County gave us a ticket. So a trailer 11:33
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1 shows up. After they disabled all of our security, a 11:33	1 yourself." This is what we push. 11:35
2 trailer shows up. Some random guy and his wife in a 11:33	2 That's going to expose all the churches. 11:35
3 trailer parks on our property because it's a beautiful 11:33	3 People are going to say, "Why" -- there's going to have 11:35
4 view. So we call the sheriff, "Can you please help us 11:33	4 doors. One says, "If you're a child of God, you're free 11:35
5 get them off?" 11:33	5 to come in." The other one is going to say, "If you're 11:35
6 "No. We can't help you." 11:33	6 not a Christian, you're not a believer, then it's five 11:35
7 But they can tow my truck. They can tow my 11:33	7 bucks for the popcorn." You know, it's a joke. We 11:35
8 truck, no problem. But with someone we want help, 11:33	8 don't want people to go through that. 11:35
9 "Please we don't know who this person is. We want them 11:33	9 We're trying to say it's free, you know. You 11:35
10 off." Then the County finds out about it -- and guess 11:33	10 don't really have to give to -- we're going to teach 11:35
11 what? -- they give us a notice. "You are responsible 11:33	11 them that God doesn't want your money. Right? 11:35
12 for someone you don't know who came out to your 11:33	12 So I'm a major threat to all -- and I'm a 11:35
13 property, is out there in a trailer." 11:33	13 serious person. Right? Millions of followers, you 11:35
14 While I'm on a cruise, I'm on the phone going, 11:33	14 know. And here I am getting targeted. It's like I 11:35
15 "Why don't you guys do something? Help us out. We're 11:33	15 can't go anywhere. 11:35
16 trying to build a free church. We don't know why -- no 11:33	16 Q. Wait. 11:35
17 one should be out there." We already had a paper I 11:33	17 So you don't believe in tithing? 11:35
18 scanned with a thing that said, "You can arrest anyone 11:34	18 A. See, you don't know this. 11:35
19 who trespassed that goes out there." Instead they come 11:34	19 Q. I'm just asking. 11:35
20 after me hard. Hard. 11:34	20 A. No, I don't. 11:35
21 Do you want to know how hard? I had to go to 11:34	21 Q. That's interesting. 11:35
22 the San Bernardino -- right here -- the Board of 11:34	22 A. I can tell you it's a long -- I'm an expert. I 11:35
23 Supervisors thing and defend myself. Emotional 11:34	23 am the expert at Bible. There is no one else to go -- 11:35
24 distress. Right? 11:34	24 it's me. Right? You can read it word-for-word. You 11:35
25 We did nothing wrong. And the law said 11:34	25 would have to build it up. 11:35
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1 federally you can't get -- same thing with this ticket. 11:34	1 The fast version was tithing was required for 11:35
2 It's going to match up. They went after me for a 11:34	2 only one tribe. There's all these lies. They're not 11:36
3 passenger, some type of seat belt issue. Right? 11:34	3 telling you this. There's 13 tribes of Israel. Right? 11:36
4 Q. Uh-huh. 11:34	4 They don't tell you that. They want to brainwash you. 11:36
5 A. This time they went after these two people that 11:34	5 There's only 12. I don't think everyone is brainwashed. 11:36
6 were out on my property. We told them to leave. Right? 11:34	6 One tribe is called the Levi Tribe of Israel. 11:36
7 Then the sheriff said, "You can't -- you can't do 11:34	7 Right? They were required to tithe. They were the 11:36
8 anything physical. You can't do this. You can't do 11:34	8 farmers. It was instruction. It was 12 tribes that 11:36
9 that." 11:34	9 fought, fought the bad guys to protect themselves. 11:36
10 "What are we supposed to do?" 11:34	10 This tribe had to be a priest because they 11:36
11 He's all, "Well, you can just tow it." Well, 11:34	11 didn't violate -- it's a long story. But it was a thing 11:36
12 then they would sue us for taking their personal 11:34	12 with a statue and a cow. I'm trying to give you the 11:36
13 property. So anyways I bribed the guy, and he finally 11:34	13 fastest version possible. 11:36
14 left, which was good, but it was -- I called him for a 11:34	14 So these guys were legit back in the day. 11:36
15 long time. And it was the County made us -- they would 11:34	15 Because of that God said, "You're the only ones that can 11:36
16 not let go. They're going to get me. It's a multiple 11:34	16 be a priest. If you're not a Levi Jew, you can't be a 11:36
17 million dollar property. Right? 11:34	17 priest. We don't trust you." I'm just paraphrasing 11:36
18 That God gave is really -- we pay, but a really 11:34	18 trying to make it simple. 11:36
19 good deal. God's trying -- we're trying to build a free 11:34	19 These guys are your farmers. "So you same 11:36
20 church. This is going to be the greatest thing ever, I 11:34	20 farmers are going to give your best tithes." You can 11:36
21 think. You go in. There's no offering plate. There's 11:35	21 say tithes. The word back means 10 foot -- 10 percent 11:36
22 no bowing. "Hey, can we give you -- do you want food? 11:35	22 of a food product is what the word actually means 11:36
23 Do you want clothes?" We're not a priest. We just read 11:35	23 continuing the t-h. Tithe is 10 percent of food. It's 11:36
24 Bible. You don't have to agree, but this is what you're 11:35	24 never money anyways. It was never money ever at any 11:36
25 here for. It's Bible. It says love your neighbor as 11:35	25 point in the whole Bible old or new. It never required 11:36
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1	money. So it was food.	11:37	1	them -- the grocery store, a private residence -- that	11:38
2	So you had to give your 10 percent the best.	11:37	2	they will help impound that vehicle or at least get it	11:38
3	So if you had a good crop of good corn, you gave the	11:37	3	off the property. They're not doing that. They told me	11:38
4	good corn to the priest. If you had a cow, you gave --	11:37	4	they will not come out and remove that trailer. You	11:38
5	there's certain parts on the cow -- you probably know	11:37	5	know why? It will cost too much is what they said.	11:39
6	this -- like pastrami. It's more -- considered more	11:37	6	Q. Okay. So then --	11:39
7	valuable. That goes to them. The rest you can sell.	11:37	7	A. We have a lot of problems.	11:39
8	Right? Produce for the whole -- the other 12 tribes	11:37	8	Q. I'm trying to connect -- because you make -- in	11:39
9	when they're fighting. They're kind of like the	11:37	9	your complaint you make a comment -- you make a claim	11:39
10	resource people. They need food. You got to go bring	11:37	10	for compensatory damages of a million dollars. And I'm	11:39
11	it to them. These guys have to be your priest.	11:37	11	trying to get a feel as to how did you come up with	11:39
12	So that's what people don't know. To be a	11:37	12	that.	11:39
13	priest, you have to be a Levi Jew. They don't even tell	11:37	13	A. To stop the County from continuing this.	11:39
14	you that. Almost nobody is a Levi Jew who's a priest	11:37	14	They're not going to care without money. You can't yell	11:39
15	today. We just covered this one. So these guys -- lost	11:37	15	at cops. You make a complaint. It probably goes	11:39
16	focus here.	11:37	16	nowhere. We did that. You risk going to jail if you	11:39
17	Q. Let's focus, you know --	11:37	17	make a complaint. Did you know that? The next step	11:39
18	A. Anyways, it says in Matthew 17:24 if you are a	11:37	18	is -- what? -- internal IA. People don't know.	11:39
19	child of God, you're free from giving to the temple.	11:37	19	If you read that paper, it says, "If you wrote	11:39
20	So have you heard that verse?	11:37	20	one thing wrong" -- like this video. I accidentally say	11:39
21	Q. No.	11:37	21	the wrong date -- "you will be investigated. You will	11:39
22	A. It's straight up. You do not have to give to	11:37	22	be put in jail for up to six months to a year."	11:39
23	the church.	11:37	23	Do you know about that?	11:39
24	Q. All right. So the reason we went --	11:37	24	Q. So I'm trying to figure out what your claim of	11:39
25	A. Do not let your left hand know what your right	11:38	25	damages are. I'm kind --	11:39
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1	hand is doing and do not give where anyone can see.	11:38	1	A. Emotional distress and penalties to get them to	11:39
2	Q. So the reason I asked --	11:38	2	stop doing this because that's what will move people.	11:39
3	A. It's a sin if you give an offering plate.	11:38	3	You have power. I assume you have a lot of power. And	11:39
4	Q. The reason I asked you to explain that like you	11:38	4	you go to these people and say, "You've got to stop	11:40
5	just did is I kind of want to know --	11:38	5	doing this or you're going to keep getting sued,"	11:40
6	A. They're trying to shut this down.	11:38	6	something like that.	11:40
7	Q. No. No.	11:38	7	Q. I'm just a lawyer.	11:40
8	I'm trying to -- yeah. I'm trying to connect	11:38	8	A. You're not just a lawyer. You're not.	11:40
9	this particular stop to how --	11:38	9	Q. So we're talking about emotional distress --	11:40
10	A. Everything else.	11:38	10	A. Uh-huh.	11:40
11	Q. -- how it affected the free church.	11:38	11	Q. -- right?	11:40
12	Are you suggesting --	11:38	12	And you've kind of explained how you have	11:40
13	A. We can't call the highway patrol anymore.	11:38	13	emotional distress from other issues and this	11:40
14	Q. Okay.	11:38	14	exacerbated that emotional distress.	11:40
15	A. That's the problem. We need security. There's	11:38	15	A. They're refusing to do their job.	11:40
16	people that park out there. We need to get them towed.	11:38	16	Q. Right.	11:40
17	We've got to come up with some type of -- how are we	11:38	17	And then the other claim of damages that this	11:40
18	going to fix this problem? It has to be through	11:38	18	lawsuit then has caused you to lose time from your	11:40
19	paperwork.	11:38	19	church?	11:40
20	Q. Okay. So --	11:38	20	A. From Bible translation.	11:40
21	A. We need a judge to say, "The highway patrol has	11:38	21	Q. Right.	11:40
22	to help us out at Macy's land." Right? The Jewish	11:38	22	From your church.	11:40
23	temple, if someone parks out there, just like any other	11:38	23	A. I'm not where I should be. I should be here,	11:40
24	business -- if they're illegally doing bad things, you	11:38	24	but we're here. Because what do I have to do when I go	11:40
25	need to do the same service that you're doing for	11:38	25	home? I have to do something with this.	11:40
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1 Q. So you're losing time to devote to the church? 11:40	1 We are a major threat to every church by being good, by 11:42
2 A. The world. 11:40	2 being a light exposes darkness. You don't have to go 11:42
3 Q. Okay. 11:40	3 crazy. People come in and they feel the love. They go, 11:42
4 A. The church. The whole world reads my stuff. 11:40	4 "Why is everything free?" 11:42
5 It's a free Bible on an app on whatever you need. 11:40	5 Because everyone is told it must cost a lot to 11:42
6 Q. Have you lost time related to this incident -- 11:40	6 turn the lights on. No, it doesn't. We fund it. The 11:42
7 A. Absolutely. I'm teaching people how to do 11:40	7 lights don't cost much. 11:42
8 lawsuits to keep the government out of your life. 11:40	8 Q. Okay. 11:42
9 Q. Okay. Related to your businesses have you lost 11:40	9 A. We pay for it. It's simple. 11:42
10 any income? 11:40	10 Q. So then -- 11:42
11 A. Yes. Of course. 11:40	11 A. Do not donate. It would be a sin. To give an 11:42
12 Q. Explain to me how. 11:41	12 offering plate is a sin. It's a word-for-word sin, 11:42
13 A. This is a priority. 11:41	13 Matthew chapter 6. Do not let your left hand know what 11:42
14 Q. Okay. 11:41	14 your right hand is doing when you give. And do not give 11:42
15 A. If you don't do paperwork, people get angry, 11:41	15 where everyone can see. Isn't an offering plate an 11:42
16 people get violent. 11:41	16 exact violation? 11:42
17 Q. Okay. So then -- 11:41	17 Q. So you have not expended any attorney's fees 11:42
18 A. It's actually normal criminal. The cop 11:41	18 outside of the time that you've put into this case? 11:42
19 harasses them. What do they do? They want to fight 11:41	19 A. Yeah. We are representing ourselves. Me and 11:42
20 with them because they don't know how to do lawsuits. 11:41	20 my kids. 11:42
21 Q. So the impact to your business, your ability to 11:41	21 Q. Okay. 11:42
22 go and -- 11:41	22 A. They're being trained. We're going to have 11:42
23 A. It's embarrassing too. 11:41	23 problems. We're going to make mistakes. But I've tried 11:43
24 Q. -- haul trash is related to the lawsuit? 11:41	24 to be really -- I trust you a lot, and I've tried to be 11:43
25 A. Absolutely. We have to -- I can't drive around 11:41	25 very -- 11:43
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1 solo anymore. 11:41	1 Q. Did you -- 11:43
2 Q. Okay. 11:41	2 A. -- reasonable with you, I believe. 11:43
3 A. If I have to go pick up something, it's like we 11:41	3 Q. Did you get your fees waived from the court? 11:43
4 only need one person, but I need at least two because -- 11:41	4 A. Yes. We got fee waiver, like I said, because 11:43
5 guess what? -- they're going to pull me over every time 11:41	5 we don't make a lot of money. We give to the people. I 11:43
6 I drive. 11:41	6 don't want to tell you all the stuff we do because then 11:43
7 Q. Okay. 11:41	7 I lose credit with God. 11:43
8 A. If that guy's on the street, he's going to get 11:41	8 Q. I want to ask you -- 11:43
9 me. He's going to claim the same thing even though -- 11:41	9 A. I can tell you every criminal know us up there 11:43
10 think about it. This lawsuit shows how bad things are. 11:41	10 because we give -- they get out of jail and I say, 11:43
11 I already won the case, but I guarantee you if I drive 11:41	11 "Look, one excuse you shouldn't have is you should be 11:43
12 by that same cop, he's going to pull me over for the 11:41	12 able to get a job. I will give you a job." We give 11:43
13 same thing even though we already won in court. 11:41	13 them a chainsaw, a splitter. If they split it, we'll 11:43
14 Q. Okay. 11:41	14 pick it up, and we can give it to people. If you want 11:43
15 A. He's going to say, Well, that's just -- 11:41	15 to go clean something -- 11:43
16 whatever. He's never acknowledged he's wrong and he's 11:41	16 Q. I want to ask you some specific questions about 11:43
17 going to stop doing that. Until he does that, we've 11:41	17 the officer's and sergeant's behavior on the date of the 11:43
18 made no progress yet. The court can't force him to do 11:41	18 incident. Okay? 11:43
19 this. 11:42	19 A. You can see it in the video. 11:43
20 Q. Right. 11:42	20 Q. Okay. At any time did Officer Bates touch you, 11:43
21 And in this lawsuit you've been acting as your 11:42	21 physically touch you? 11:43
22 own attorney; right? 11:42	22 A. I doubt it. 11:43
23 A. Absolutely. And my kids know. It's a family 11:42	23 Q. Okay. At any time during the incident were you 11:43
24 thing because they have to protect themselves. When I'm 11:42	24 assaulted by Officer Bates? 11:43
25 gone, the government is going to come after them still. 11:42	25 A. There's a presence. When a cop tells you to 11:44
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1	put a phone down, anybody that knows anything knows	11:44
2	that's not a good sign.	11:44
3	Q. Okay.	11:44
4	A. When they tell your kids to get out of the car,	11:44
5	usually you're being arrested. They're getting	11:44
6	arrested. I hope you know this stuff. You don't say,	11:44
7	"Can you please get out of the car. When they say that,	11:44
8	then they say, "Put your hands behind your back. Let's	11:44
9	put some handcuffs on you."	11:44
10	Q. I'm just -- the cell phone thing was with	11:44
11	Sergeant O'Brien. I want you to focus --	11:44
12	A. That's a big deal.	11:44
13	Q. Okay. I get it.	11:44
14	A. It's not small.	11:44
15	Q. I want to talk -- focus only on Officer Bates,	11:44
16	and then we'll talk about Sergeant O'Brien. Okay?	11:44
17	So Officer O'Brien -- I'm sorry -- Officer	11:44
18	Bates did not touch you, did not assault you?	11:44
19	A. He was scary.	11:44
20	Q. Okay. Did he threaten you physically in any	11:44
21	way?	11:44
22	A. When you're being detained a long time, you're	11:44
23	going to jail. There's a law. You have 15 minutes.	11:44
24	And it's not supposed to be that. So the answer is no,	11:44
25	he didn't physical -- it's coming. If you don't know	11:44
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1	things, that's different.	11:45
2	If you know something for a fact, you know --	11:45
3	like I know Bible. You say a word. You know the last	11:45
4	word. When all the signs are there -- he's held you for	11:45
5	a long time. They're going to impound your car. You're	11:45
6	going to jail. If it's quick, then it's right. Okay?	11:45
7	They go there -- even if they're wrong, they give you a	11:45
8	ticket and you go on your way because that's the law	11:45
9	requirement. We were there for over an hour.	11:45
10	Q. Did Officer Bates refuse to contact a	11:45
11	supervisor to come to the scene?	11:45
12	A. No, he didn't refuse that. He was difficult,	11:45
13	but he did. He refused to give his identification when	11:45
14	I asked numerous times --	11:45
15	Q. Okay.	11:45
16	A. -- nicely.	11:45
17	Q. At any --	11:45
18	A. You see how calm I was in the video?	11:45
19	Q. At any time --	11:45
20	A. I was very calm.	11:45
21	Q. At any time during the incident did Officer	11:45
22	Bates draw his service weapon?	11:45
23	A. His hand -- no. He had his hand on his gun.	11:45
24	That's enough for me to be concerned. That's why I was	11:45
25	like this.	11:45
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1	Q. At any time during the stop, did Officer --	11:45
2	A. I felt I was in fear for my life.	11:45
3	Q. At any time during the stop --	11:46
4	A. No doubt.	11:46
5	Q. At any time during the stop did Officer Bates	11:46
6	deploy any other method to subdue you, such as Mace or a	11:46
7	taser?	11:46
8	A. No. Or a club.	11:46
9	Q. Okay. At any time during the incident did	11:46
10	Officer Bates use profanity against you?	11:46
11	A. I don't remember. I don't think so.	11:46
12	Q. Okay.	11:46
13	A. I was too concerned with the badge not showing.	11:46
14	I already knew -- you don't -- I don't think you get	11:46
15	that. I mean, I don't want to offend you like that. I	11:46
16	should say I hope you comprehend that if you know where	11:46
17	I was at with the government already trying to shut us	11:46
18	down. They cut our cables.	11:46
19	I got arrested -- I didn't tell you that -- by	11:46
20	the sheriffs for picking up trash on my religious	11:46
21	property factually. And I won that case. I've won	11:46
22	every case. This is ongoing. Over 300 County notices	11:46
23	of violations on my church property, we won every case.	11:46
24	I didn't finish that one. We went to the county	11:47
25	hearing. They had a hearing officer similar to you, a	11:47
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1	lawyer guy. Right? They had all those people on the	11:47
2	County against me.	11:47
3	Q. Okay. Let's talk about --	11:47
4	A. Against me. And I'm going, we did nothing	11:47
5	wrong. And guess what? We won. In fact the County was	11:47
6	proven to have trespassed on our religious property and	11:47
7	had been harassing us. We got all of our money back.	11:47
8	That case is ongoing.	11:47
9	Q. At any time did Officer Bates impound any of	11:47
10	your property during this stop?	11:47
11	A. Yeah. He had my ID. He wouldn't let it go	11:47
12	too. I'm "when are you going to give that back? He	11:47
13	didn't do things right. That's all I can say.	11:47
14	Q. Okay.	11:47
15	A. You're supposed to give them a ticket. Then	11:47
16	your sergeant shows up and discusses it, and he could	11:47
17	have let that guy go. He could have said, "Hey, I took	11:47
18	over the stop. I just want to let the guy know that we	11:47
19	believe you did this right." That would have been the	11:47
20	normal way.	11:47
21	Q. Okay.	11:47
22	A. Then it would have been a shorter stop.	11:47
23	Q. So then Officer Bates from your understanding	11:47
24	impounded your license, your registration, and your	11:48
25	insurance?	11:48
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1 A. There you go. He had possession of them. He 11:48	1 A. They work together. I don't know if you know 11:49
2 wouldn't give them back, completely give it back. He 11:48	2 anything about police. They're all friends. They don't 11:49
3 goes -- 11:48	3 have -- I feel bad for them. I know a lot. Most of 11:49
4 Q. Did you -- 11:48	4 their friends are within themselves because people don't 11:49
5 A. -- "It's right here." 11:48	5 like them or trust them. 11:49
6 What if he drove off with them. We don't trust 11:48	6 Q. Just to clarify something, though. When you 11:49
7 them. 11:48	7 were arrested -- 11:49
8 Q. Did you receive them back at the end, by the 11:48	8 A. I answered. 11:49
9 end of the stop? 11:48	9 Q. -- by the sheriffs -- 11:49
10 A. Yes. 11:48	10 A. Uh-huh. 11:50
11 Q. Okay. All right. Let's talk about Sergeant 11:48	11 Q. -- the people or the sheriff officers that 11:50
12 O'Brien's behavior. 11:48	12 arrived -- 11:50
13 A. I need to add that, though. You're asking a 11:48	13 A. Correct. 11:50
14 question about behavior and stuff. The sheriffs 11:48	14 Q. -- were not Officer Bates or Sergeant O'Brien; 11:50
15 illegally arrested me for picking up trash -- me picking 11:48	15 right? 11:50
16 up trash -- it wasn't even me. I took the blame so my 11:48	16 A. What I'm saying it's relevant because they hear 11:50
17 kids wouldn't get blamed -- for picking up trash on our 11:48	17 the same stuff. They're going after me. They're going 11:50
18 property. 11:48	18 after us. 11:50
19 You know what the officer said? "Hey, if 11:48	19 You know what they said? There's a case on 11:50
20 someone puts a bike out on your property, would you just 11:48	20 that too. They go how -- another time they pulled me 11:50
21 throw it away?" I was like, I mean, that's a good one. 11:48	21 over. It might have been the highway patrol -- while I 11:50
22 I mean probably I could. What am I supposed to do? 11:48	22 was driving out to my religious property. He goes, "You 11:50
23 Q. Okay. 11:48	23 didn't have a front license plate on." 11:50
24 A. We're a trash company. In fact the County are 11:48	24 And so I go, "Okay, whatever. What do you want 11:50
25 the ones that have been dumping the trash. 11:48	25 to do?" 11:50
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1 Q. This incident -- 11:49	1 And then he's like, "How much is your property 11:50
2 A. We're cleaning up this trash. And guess what? 11:49	2 worth?" 11:50
3 We won that case. 11:49	3 Q. Okay. Let's focus on Sergeant -- 11:50
4 Q. Okay. Mr. Macy -- 11:49	4 A. It's very concerning. 11:50
5 A. It was an illegal arrest. Do you think I had 11:49	5 Q. Let's talk -- let's focus on Sergeant O'Brien. 11:50
6 trust with the highway patrol? This had just happened 11:49	6 A. I never got a ticket on that one. 11:50
7 before this. 11:49	7 Q. Let's focus on Sergeant O'Brien's behavior -- 11:50
8 Q. Okay. So this incident with the trash you just 11:49	8 A. Sure. 11:50
9 referred to -- 11:49	9 Q. -- at the stop. 11:50
10 A. Uh-huh. 11:49	10 At any time did Sergeant O'Brien touch you? 11:50
11 Q. -- occurred prior to -- 11:49	11 A. No. He's on the other side over there. 11:50
12 A. Prior. 11:49	12 Q. At any time did Sergeant O'Brien assault you? 11:50
13 Q. -- the stop? 11:49	13 A. The threat of being arrested. So, no, he 11:50
14 A. These are real things. A normal jury I hope is 11:49	14 didn't -- he didn't physically punch me, no. 11:50
15 going to hear this. Not like you and go (indicating). 11:49	15 Q. Did Sergeant O'Brien at any time threaten 11:50
16 So you didn't do anything wrong? For what? For picking 11:49	16 physical violence with you? 11:50
17 up -- for cleaning up trash. 11:49	17 A. It's implied. When you say, "Put your phone 11:50
18 Q. And that was the County sheriff -- 11:49	18 down." When you tell people to bring their kids out of 11:51
19 A. For a 50 cent rusted up sign. The County -- 11:49	19 their truck, these are issues. 11:51
20 the same county, the same area. They have the same 11:49	20 Q. Okay. At any time did Sergeant O'Brien impound 11:51
21 radio. They can hear everybody on the radio. 11:49	21 any of your property? 11:51
22 Q. So that was a sheriff; right? 11:49	22 A. It would have been impounded. By law if they 11:51
23 A. Yes. 11:49	23 would have done it right -- I need to answer this. No. 11:51
24 Q. Okay. So it wasn't either Officer Bates or 11:49	24 But I have to put the "but" in there. If I wouldn't 11:51
25 Sergeant O'Brien; right? 11:49	25 have cooperated -- what if I would have said, "You guys 11:51
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1 are wrong and I was right," he would have arrested me. 11:51	1 exact same thing and you said we were fine. So he lied. 11:53
2 He would have impounded -- I believe he wanted to 11:51	2 It was a straight lie. That's where he sold his soul, I 11:53
3 impound my truck. I explained that they illegally 11:51	3 believe. 11:53
4 impounded my truck previously. Illegally. 11:51	4 He went from -- I don't know his history. He 11:53
5 The probability if somebody -- if they punched 11:51	5 was a good customer. But I think when he realized it 11:53
6 you yesterday and they've got the same aggro behavior, 11:51	6 was his friend, he had a choice. Either his friend made 11:53
7 there's a good chance they're going to punch you the 11:51	7 an illegal stop. He would have had to discipline him, I 11:53
8 next day. He takes my truck, impounds it illegally. 11:51	8 presume. Right? If you knew that it was -- he should 11:53
9 The supervisor looks into it -- someone. I don't 11:51	9 have corrected him in private. There's a way it all 11:53
10 remember right now -- and finds out it was a completely 11:51	10 works. Right? 11:53
11 illegal towing. They did it within five minutes. That 11:51	11 When they had that discussion in the video, 11:53
12 means it was either tracked or a miracle that this guy 11:51	12 they should have talked. "Hey, I pulled him over" -- he 11:53
13 just happens to drive up and go, "Hey, get over here and 11:51	13 should have been like this, "I pulled him over 11:53
14 tow this guy's truck." It made no sense. It was on 11:51	14 previously. The seat belt was installed safe. He's 11:53
15 private property. 11:51	15 right. The federal law -- there's no law about how many 11:53
16 If you knew the laws, the highway patrol only 11:51	16 seats belts can be in a vehicle factually, and it was 11:54
17 patrols highways. This was a private street. Can they 11:52	17 safe and it was installed. And the guy knew what he was 11:54
18 do things in emergencies, yes. Not a normal behavior to 11:52	18 talking about. And I made sure it was safe, and I let 11:54
19 go on a private property and go, "Hey." And I had 11:52	19 him go." 11:54
20 permission from the neighbor. It was all straight. I 11:52	20 And now his buddy is here. They shouldn't be 11:54
21 had a note on the car, "We're coming back with gas." I 11:52	21 best friends. If they were best friends, they should 11:54
22 couldn't believe it was gone. It had to have been 11:52	22 have brought a different sergeant, first of all. That's 11:54
23 shady. I thought it was stolen at first. I couldn't 11:52	23 the way to do it. Let's just say it happens. You 11:54
24 believe the highway patrol -- I didn't even believe the 11:52	24 happen to work there. You're buddies. You have your 11:54
25 highway patrol would tow it. 11:52	25 little private discussion and you go, "Just let him go 11:54
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1 Q. At any time during the stop did Sergeant 11:52	1 and tell him, "Hey, make sure you have your seat belt 11:54
2 O'Brien use any profanity towards you? 11:52	2 on." It would have been squashed. We would all be 11:54
3 A. I don't remember. I mean, I have to look it 11:52	3 happy. You wouldn't be here. 11:54
4 up. I have to watch the video and ask people again to 11:52	4 Q. All right. Mr. Macy, we've gone almost 11:54
5 make sure. I don't think he did. 11:52	5 two hours. Let's take a short break and we'll go off 11:54
6 Q. Okay. 11:52	6 the record. 11:54
7 A. I don't want to lie about nothing. 11:52	7 THE VIDEOGRAPHER: The time is 11:53 a.m. We 11:54
8 Q. At any time during the stop did Sergeant 11:52	8 are now off the record. 11:54
9 O'Brien refuse to answer any of your questions? 11:52	9 (Recess taken from 11:53 a.m. until 12:01 p.m.) 11:56
10 A. Absolutely. 11:52	10 THE VIDEOGRAPHER: The time is 12:01 p.m. We 12:02
11 Q. Which ones? 11:52	11 are now back on the record. 12:02
12 A. Could go on forever. "Can I please have your 11:52	12 BY MR. HERNANDEZ: 12:02
13 name?" He just -- he was cold as ice. 11:52	13 Q. All right. Mr. Macy, just remember that you 12:02
14 Q. Not Officer Bates. I'm asking about Sergeant 11:52	14 are under oath. Okay? 12:03
15 O'Brien. 11:53	15 A. Yes, sir. 12:03
16 A. Oh, O'Brien? Are we on the sergeant now? 11:53	16 Q. All right. Can you look at Exhibit D. 12:03
17 Q. Yes. 11:53	17 A. Yes. 12:03
18 A. Oh, the sergeant was way better. It was -- 11:53	18 Q. These are requests for admissions. We ask you 12:03
19 yeah. There was one. He's not as shady. I go, "You 11:53	19 to admit certain facts. I'm going to go over some of 12:03
20 would not have given us this ticket." He didn't answer 11:53	20 these. Not all of them. 12:03
21 it. 11:53	21 But the one thing that I do note -- and you 12:03
22 Instead he goes, "Well, I believe that if I 11:53	22 tell me if this is correct, if you agree -- that you 12:03
23 would have done the same stop, I probably would have 11:53	23 didn't admit to any of the admissions. Right? 12:03
24 done the same thing," which was a straight lie. I 11:53	24 A. I don't think so. I think I have to look at 12:03
25 explained to him that he had already stopped us for the 11:53	25 them. If that's what it says. 12:03
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1 Q. Take a few minutes to take a look if you'd 12:03	1 Q. He didn't explain it to you -- 12:07
2 like. Just let me know when you're done. 12:03	2 A. He would not even tell me when I asked him, 12:08
3 A. I have to look where I answered, I guess. 12:03	3 "What is the charge?" So your legal -- see, my 12:08
4 Q. Yes. It's got the question and then the 12:03	4 definition is you have to tell someone the code. You 12:08
5 answer. 12:03	5 can't just say, "I pulled you over because I suspected 12:08
6 A. Oh, the end's the answer? You didn't say. 12:03	6 it was a non-factory seat belt." There has to be a 12:08
7 Q. No. So you look -- so the first part -- 12:03	7 charge to it. I don't define it that way. It's 12:08
8 A. I wasn't born a lawyer. 12:03	8 improper. That was a violation of his duties. He 12:08
9 Q. So the first part is the request. 12:03	9 should be retrained. 12:08
10 A. Where is the answer at? 12:03	10 You need to tell someone, "According to 12:08
11 Q. It should be on the next page. 12:03	11 California penal code or federal, whatever, this is what 12:08
12 A. Oh, okay. 12:04	12 you're being charged of and this is the investigation," 12:08
13 Q. The top there. 12:04	13 whatever. He didn't do that. 12:08
14 A. Oh, "Plaintiff does not admit that the 12:04	14 Q. Okay. 12:08
15 California" -- okay. 12:04	15 A. And I was greatly concerned, again, with his 12:08
16 Q. It goes request, response, request, response. 12:04	16 nametag not showing up. This was -- this was bad 12:08
17 A. Yeah. He didn't. I was asking him, "What's 12:04	17 because he didn't give me the charge and he didn't 12:08
18 the charge?" 12:04	18 identify himself correctly. This was a big problem. 12:08
19 Q. We'll -- if you'd just go through it. 12:04	19 Q. All right. Fair enough. 12:08
20 A. Just answer it your way. Okay. 12:04	20 A. If I was a cop, he would have been arrested. I 12:08
21 Q. Just confirm -- 12:04	21 would have said, "Hey, why don't you have a badge? If 12:08
22 A. I was trying to get you to understand why I 12:04	22 you're a cop, you need to be brought into internal 12:08
23 said it if you want. "Admit that there was only" -- 12:04	23 affairs immediately." 12:08
24 Q. Yeah. You don't have to -- you can do it -- 12:04	24 Q. All right. So let's go to request No. 2. It 12:08
25 A. Don't say it out loud? 12:04	25 says, "Admit that there were only two California Highway 12:08
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1 Q. Once you're done reviewing it, just let me 12:04	1 Patrol law enforcement officers during the stop that is 12:08
2 know. 12:04	2 the subject of the operative complaint." 12:08
3 A. It looks pretty straightforward. Okay. I 12:04	3 A. Their whole dispatch. Everybody's involved. 12:09
4 looked at it. 12:07	4 They've got to record it. There's other people 12:09
5 Q. Okay. Thank you for taking a look at it. 12:07	5 involved. You call it in. You ask for a supervisor, it 12:09
6 And my understanding -- I'm correct, though, 12:07	6 goes on record. It gets recorded so that if there's a 12:09
7 that you did not admit to any of these requests. Right? 12:07	7 problem, they know who's where. There's other people 12:09
8 A. Well, I think No. 3 maybe, yes. "Admit that 12:07	8 involved. 12:09
9 the traffic was subject to an operative." I might have 12:07	9 That's part of the proof of the timing. That's 12:09
10 got that one wrong. 12:07	10 why we want the timeline to show we were out there for 12:09
11 Q. We're going to go through some of them and you 12:07	11 over an hour. So that gets called in. You have a 12:09
12 tell me if you're changing your response. 12:07	12 document. Okay? That's where you've got one point of 12:09
13 A. Whatever you want. 12:07	13 reference. Then you've got this. He's supposed to -- 12:09
14 Q. So we'll start with the first one. 12:07	14 on his car camera, it should have shown when he first 12:09
15 It says Request For Admission 1. Exhibit D. 12:07	15 pulled us over. And he edited that greatly. 12:09
16 So we're referencing Exhibit D. 12:07	16 And I would hope you would be concerned about 12:09
17 "Admit that the California Highway Patrol law 12:07	17 that as a schoolteacher or anybody who lives in the 12:09
18 enforcement officer who initiated the subject traffic 12:07	18 community. Everything -- it's an illegal charge in 12:09
19 stop explained to you the reason for the traffic stop." 12:07	19 fact. MVARs -- they call them MVARs -- you're not 12:09
20 You started kind of talking about that a little 12:07	20 allowed to turn off those cameras or edit them or 12:09
21 earlier. Explain to me why you don't agree with that. 12:07	21 destroy them. They're only there by law to protect us, 12:09
22 A. He didn't give -- the normal procedure is you 12:07	22 and that got edited. 12:09
23 give someone a citation number. In this case it was 12:07	23 If you saw that video -- I hope you saw it. 12:09
24 13-something about a traffic thing. He did not explain 12:07	24 The one officer -- the better one is the sergeant. 12:09
25 that to me. 12:07	25 Right? The normal guy, his is all chopped up. You can 12:09
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1 prove it. I can show you the timeline. You can see how 12:09	1 Q. -- Officer Bates to get a supervisor -- 12:11
2 the officer is here and then he's over here. You don't 12:09	2 A. Correct. 12:11
3 hear what he said. It's clearly edited. And you 12:10	3 Q. You've got to let me finish my question, sir. 12:11
4 could -- and then it's all "bizz, bizz, bizz." 12:10	4 A. Oh, sorry. 12:11
5 The part you can hear is, like, "bizz." The 12:10	5 Q. And then you can answer. 12:11
6 other guy is clear as a whistle, and he's a car back. 12:10	6 So it's correct that you requested Officer 12:12
7 That's how bad this is. The close car is Bates, the 12:10	7 Bates to request a supervisor to come to the scene? 12:12
8 shady one; right? The more shady. The sergeant's back 12:10	8 Yes? 12:12
9 here (indicating). You can hear his with people way 12:10	9 A. Yes. 12:12
10 over here talking. But his close to us got all edited. 12:10	10 Q. Okay. Perfect. 12:12
11 They don't want you to hear what I'm asking, "Can you 12:10	11 All right. Let's skip over to No. 5, so I'm on 12:12
12 please show your identification. What is the charge?" 12:10	12 page 3. Request For Admission No. 5 states, "Admit that 12:12
13 I'm being all calm. Just, "Hey, can you give me the 12:10	13 you installed a seat belt to the cab of the vehicle you 12:12
14 vehicle code so I can read it to you. I knew it by 12:10	14 were driving at the time of the traffic stop that is 12:12
15 heart, but laws can change. 12:10	15 subject of operative complaint." 12:12
16 Q. Okay. So at the scene of the incident there 12:10	16 A. Can I respond? 12:12
17 are only two officers that arrived, the sergeant -- 12:10	17 Q. Go ahead. 12:12
18 A. Correct. 12:10	18 A. So I did not install it. And the highway 12:12
19 Q. -- and officer -- 12:10	19 patrol authorized this vehicle. This is a strong case. 12:12
20 Next one says, "Admit that during the traffic 12:10	20 So it was a salvaged truck. That's how we save money. 12:12
21 stop" -- admission -- let me set this up. 12:10	21 Right? We can't afford to buy a new truck. It costs 12:12
22 Request for Admission No. 3 says, "Admit that 12:10	22 too much. We get a wrecked truck, and we personally fix 12:12
23 during the traffic stop that is subject of the operative 12:10	23 it ourselves to save money and give money to help the 12:12
24 complaint, you requested that supervisor of the 12:10	24 community instead. Right? 12:12
25 California Highway Patrol law enforcement officer who 12:11	25 So during that process you have to go to the 12:12
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1 initiated the subject traffic stop come to the location 12:11	1 highway patrol station. They inspect it for safety. 12:12
2 of the traffic stop." 12:11	2 They checked the seat belts. They checked the lights, 12:12
3 That's correct; right? 12:11	3 the brakes. They said it is good, and they check it 12:12
4 A. Not the right wording, but it would be that I 12:11	4 off. And then you go back and do your paperwork and you 12:12
5 asked for a sergeant to show up, supervisor. 12:11	5 get it to become a street legal vehicle. 12:12
6 Q. You asked that of Officer -- 12:11	6 So it had already been inspected twice by the 12:13
7 A. However they want to do it. I thought we 12:11	7 highway patrol. This is how outrageous this case is. 12:13
8 should have pulled over to a safer place. It was a -- 12:11	8 First at the headquarters in Running Springs. The 12:13
9 this is me thinking. I'm not the cop. But I wouldn't 12:11	9 speciality guy, that's what he does. He checks for 12:13
10 have people on the high speed risking all of us getting 12:11	10 stolen parts, that type of stuff to make sure everything 12:13
11 killed. That's why I got out of the car, if nothing 12:11	11 is compliant. This is a safe vehicle. He checks the 12:13
12 else. I'm watching stuff. If you're on a high speed 12:11	12 seat belt. He goes -- pulls on it. He probably checks 12:13
13 thing, you get rammed, you know. And then you have a 12:11	13 the bolts, make sure it's actually bolted properly 12:13
14 problem bigger than what's going on. 12:11	14 because there's people that rig stuff. There is 12:13
15 Q. Okay. 12:11	15 something to all of this stuff. You have to have a 12:13
16 A. So I think he should pulled us over to the high 12:11	16 certain amount of space. Right? 12:13
17 school, go to the next stop. This is normal stuff. 12:11	17 We have all that. You can't have five people. 12:13
18 "Hey, can you pull over to the next safe location." 12:11	18 You can't put a thin strap and some people use one bolt 12:13
19 Safe out of traffic. Not have your kids stand out in 12:11	19 for a loop. And that's not safe and so on. They said 12:13
20 the street or you out in the street or get out of the 12:11	20 it was safe. 12:13
21 truck and get hit. It's a high speed. It's a dangerous 12:11	21 Q. Did you have any paperwork of that in the 12:13
22 place. I hope you go up and visit it, Highway 18. Go 12:11	22 vehicle? 12:13
23 look at the road he pulled us over. 12:11	23 A. It's part of the history of the truck. It's a 12:13
24 Q. But it's correct that you did request -- 12:11	24 vehicle inspection. And then, as well, sergeant had 12:13
25 A. Yes. 12:11	25 pulled us over previously and checked it (indicating). 12:13
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<p>1 We got the sergeant's approval. We got the head 12:13</p> <p>2 inspector. That's the strongest thing of the DMV. This 12:13</p> <p>3 is common stuff. You can look it up online. It's a 12:13</p> <p>4 salvaged -- to get, you have to do a brake and lights 12:13</p> <p>5 inspection and a vehicle safety inspection. 12:13</p> <p>6 If anything is wrong, they're going to say, 12:14</p> <p>7 "No. You've got to take that seat belt out." That's 12:14</p> <p>8 what they would have done. 12:14</p> <p>9 Q. You didn't actually answer my question. 12:14</p> <p>10 A. I thought I answered it. 12:14</p> <p>11 Q. No. No, you didn't. 12:14</p> <p>12 A. I stayed in the vehicle -- 12:14</p> <p>13 Q. Did you have any proof that it had been 12:14</p> <p>14 inspected by the CHP inside the vehicle? 12:14</p> <p>15 A. Yes. 12:14</p> <p>16 Q. Inside the vehicle at the time? 12:14</p> <p>17 A. They go inside the vehicle. 12:14</p> <p>18 Q. No. No. At the time of the incident -- 12:14</p> <p>19 A. Oh, the incident? 12:14</p> <p>20 Q. At the time you get pulled over -- 12:14</p> <p>21 A. I didn't need it. It was such a strong case. 12:14</p> <p>22 I'm telling you it doesn't -- they already know this. 12:14</p> <p>23 They're supposed to know this in training. You don't 12:14</p> <p>24 have a vehicle on the road unless it's safe. 12:14</p> <p>25 Q. Let me stop. 12:14</p> <p style="text-align: right;">Page 174</p>	<p>1 A. The only time they won't do it is if they're 12:15</p> <p>2 overworked and lazy, to be honest. Then they'll say, 12:15</p> <p>3 "Go down there." They don't want them to go because 12:15</p> <p>4 these guys are more expert. 12:15</p> <p>5 Q. All right. Let's go to Request No. 8, which 12:15</p> <p>6 is -- 12:15</p> <p>7 A. The CHP expert checked it. They looked around. 12:15</p> <p>8 They opened the hood. They look at your tires. They 12:15</p> <p>9 look at the brakes. The lights have to all work 12:15</p> <p>10 according to their standards and everything. This just 12:15</p> <p>11 happened like not that long before. 12:15</p> <p>12 Q. Wait. Wait. 12:15</p> <p>13 So when you're talking about an inspection, it 12:15</p> <p>14 was inspected, the whole vehicle -- 12:15</p> <p>15 A. The whole vehicle inside and out. 12:15</p> <p>16 Q. It wasn't a specific inspection to -- 12:15</p> <p>17 A. No, it wasn't. It's for everything. 12:15</p> <p>18 Q. You've got to let me finish. 12:15</p> <p>19 A. Sorry. 12:15</p> <p>20 Q. It wasn't -- 12:15</p> <p>21 A. I thought you were done. 12:15</p> <p>22 Q. It wasn't a specific inspection to determine 12:16</p> <p>23 whether the seat belt that was installed was okay? 12:16</p> <p>24 A. They don't do that. 12:16</p> <p>25 Q. Okay. 12:16</p> <p style="text-align: right;">Page 176</p>
<p>1 A. You're saying did I have a form that said that 12:14</p> <p>2 the seat belt was legit because you inspected it, no. 12:14</p> <p>3 Q. Yes. 12:14</p> <p>4 A. Because no one would need that. 12:14</p> <p>5 Q. Okay. So you didn't -- 12:14</p> <p>6 A. It's not normal. It's not something you need 12:14</p> <p>7 to have. It's like I fixed the car. Here's proof of 12:14</p> <p>8 the damage, no. The DMV has that record. I'm telling 12:14</p> <p>9 you. This is easy. You can talk to someone legit. 12:14</p> <p>10 You can call the highway patrol right now and 12:14</p> <p>11 say, "Hey, was that truck salvaged? Did you guys at 12:14</p> <p>12 your shop inspect it. Your inspector, what was his 12:14</p> <p>13 name? Okay. Did he go in the vehicle? Did he check 12:14</p> <p>14 the seat belts? Did he check the lights? Did he check 12:15</p> <p>15 the brakes and make you step on the thing?" It has to 12:15</p> <p>16 pass. If it doesn't pass, you can't drive the vehicle. 12:15</p> <p>17 Q. Okay. 12:15</p> <p>18 A. You get a temporary operating permit. That's 12:15</p> <p>19 what you do; right? 12:15</p> <p>20 Q. Did you tell Officer Bates -- 12:15</p> <p>21 A. I told them that. 12:15</p> <p>22 Q. -- this was a CHP -- 12:15</p> <p>23 A. Yes. It's standard. CHP is the only ones that 12:15</p> <p>24 do it and the DMV. The CHP is first. 12:15</p> <p>25 Q. So -- 12:15</p> <p style="text-align: right;">Page 175</p>	<p>1 A. There's not -- it's not -- I'm telling you this 12:16</p> <p>2 is such a -- it's really weird. I told the judge that 12:16</p> <p>3 too. Seat belts, believe it or not, have the least 12:16</p> <p>4 restrictions of anything. Normally there's a law for, 12:16</p> <p>5 like, everything. 12:16</p> <p>6 If you have a spot in the vehicle and there's a 12:16</p> <p>7 seat, you can put a seat belt in and add another 12:16</p> <p>8 passenger. People don't know. As long as there's 12:16</p> <p>9 breathing, there's ventilation, there's different 12:16</p> <p>10 issues. You can even put them in the back of a truck as 12:16</p> <p>11 long as there's proper ventilation and a way to escape. 12:16</p> <p>12 Q. Okay. Let's go to No. 8. 12:16</p> <p>13 A. It's unlimited. Believe it or not, it's 12:16</p> <p>14 unlimited in federal law. You could have 100 people as 12:16</p> <p>15 long as there was a slot, a seat belt, ventilation, and 12:16</p> <p>16 a way to escape. It doesn't have to be -- well, this is 12:16</p> <p>17 how -- this is what they are brainwashed. They thought, 12:16</p> <p>18 well, the vehicle comes out of the factory. It had two 12:16</p> <p>19 seats. Now, it's not going to be forever. They're 12:16</p> <p>20 misinformed. They're uneducated. They go, "We enforce 12:16</p> <p>21 California law." Well, federal law is above, and this 12:16</p> <p>22 is a federal case. 12:16</p> <p>23 Q. Let's go to Request No. 8, which is on page 4. 12:16</p> <p>24 It says Request For Admission No. 8. It states: "Admit 12:17</p> <p>25 that you received a citation during the traffic stop 12:17</p> <p style="text-align: right;">Page 177</p>

1 that is the subject of the operative complaint." 12:17	1 people in a 4 x 4. We literally did sit on other 12:19
2 A. And I explained how that wasn't accurate 12:17	2 people's laps. I used to stand up in the back of the 12:19
3 because the ticket matched maybe one officer's thought, 12:17	3 truck, and the cops (indicating) were okay with it. 12:19
4 but the sergeant took over the stop. You're not a cop, 12:17	4 And most -- and a lot of states don't even have 12:19
5 I thought, so I'll tell you how it works. The sergeant 12:17	5 a seat belt requirement. And the law says in most 12:19
6 said he -- when a sergeant shows up on a scene, they 12:17	6 states it's not a first -- not a first -- whatever you 12:19
7 automatically take over a stop. You may not know this. 12:17	7 call it. Meaning they can't pull you over even for a 12:19
8 Now he takes responsibility. Now he can either 12:17	8 seat belt violation. Even if they saw it. You drove 12:19
9 support the first guy, which he did at one point, but 12:17	9 right by them. "That guy does not have a seat belt on." 12:19
10 then later he said, "That's not why you're getting a 12:17	10 They must first have another charge that you were 12:19
11 ticket." Like he had a heart. He had a conscience. 12:17	11 speeding and then they go, "Oh, you didn't have a seat 12:19
12 And he's like, "Well, it's because there's four people. 12:17	12 belt on." 12:19
13 It had nothing to do with the seat belt." 12:17	13 But in California they're allowing you to just 12:19
14 Instead of me arguing with him, which I could 12:17	14 -- it's for money. Clearly it's to get money. I mean, 12:19
15 have -- I knew all these things. I didn't want to do 12:17	15 in my case it's harassment. They're trying to lock me 12:19
16 it. So I go, "Well, I'm disappointed because you 12:17	16 up. We had a camera on. We had a sergeant show up. I 12:20
17 personally have inspected this truck." And I did inform 12:17	17 was about to call other people because they were 12:20
18 him, if I remember right, that the DMV salvaged vehicle 12:17	18 going to get -- they were going to -- 12:20
19 was inspected by the same -- same office. The Running 12:18	19 Q. Who were you going to call? 12:20
20 Springs Highway Patrol is the same place that inspected 12:18	20 A. Sheriffs next. I would have told the sheriffs. 12:20
21 my truck, the whole truck, to make sure it's safe. 12:18	21 There's good people in the sheriffs. Every system has 12:20
22 We don't want to be in trouble. I'm a Bible 12:18	22 good people. I just don't know why people in the 12:20
23 translator. Obey the laws. I don't know if you know 12:18	23 highway patrol -- I was hoping it would have been that 12:20
24 that part. I have to obey the laws, but not necessarily 12:18	24 sergeant. The sergeant sold his soul, in my opinion. 12:20
25 the law of California. But the laws of federal and then 12:18	25 It's really sad. I knew exactly what happened. He's 12:20
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1 California if they don't go against federal -- right? 12:18	1 filming me. I won't say any more. The camera's right 12:20
2 That can happen. 12:18	2 there. If he didn't have that guy for a friend, he 12:20
3 But in this case the guy even said, "We only 12:18	3 would have reprimanded him in private. He would have 12:20
4 use California laws. California Highway Patrol. We 12:18	4 said, "Yes, you're right. You need to follow the 12:20
5 don't use" -- it was disturbing when I talked to the 12:18	5 federal Constitution first." In fact you have to swear 12:20
6 sergeant. This is a private conversation, though. I 12:18	6 an oath to the federal. You don't have to swear an oath 12:20
7 don't want to say too much here. Somebody told me they 12:18	7 to California. It's really jacked up if you think about 12:20
8 don't have to know the federal laws. 12:18	8 it. They enforce California law, but you don't have to 12:20
9 I was like "The Constitution, guys." If the 12:18	9 swear an oath to us. You can be a little shady. 12:20
10 federal law -- there's a federal law. If there wasn't a 12:18	10 You have to swear an oath to God and the 12:20
11 federal law, then California can create them. Right? 12:18	11 Constitution, though, which is interesting. I'm a Bible 12:20
12 But when there's a federal law that says you only need a 12:18	12 translator. Right? You're arresting a Bible 12:20
13 two-point harness and there's no limit to where you put 12:18	13 translator. It's an arrest. Did you know that that 12:20
14 it, how you put it. It's just a space. If there's room 12:18	14 stop was an arrest? Every traffic stop is a minimum of 12:21
15 and someone fits and it's bolted with two bolts, it 12:18	15 a misdemeanor or an arrest. They have to have probable 12:21
16 doesn't have to be this way (indicating). It says it in 12:19	16 cause and you have to be an immediate threat to the 12:21
17 the federal law. And it's in my suit. I think you can 12:19	17 community somehow. And that on its own would be another 12:21
18 read it somewhere. That's all that's required. 12:19	18 winning point. 12:21
19 So now California can't come in and say, "Well, 12:19	19 And the court would be, How was someone having 12:21
20 we don't think you should have four passengers." Based 12:19	20 a seat belt that he admitted was on that he didn't 12:21
21 on what law? Does it say it in the federal law? 12:19	21 believe was a factory one and a danger to who? Who's 12:21
22 People -- when I was a kid -- I don't know how 12:19	22 going to get hurt? It's not going to come off. In fact 12:21
23 old you are. I'm old -- we didn't have seat belts. I'm 12:19	23 it's safer than the ones that they installed. Safer. 12:21
24 proud of that. My mom -- we had a Jeep. We were poor. 12:19	24 It's thicker. It's bolted better. I could prove it. 12:21
25 We had six people and a seventh, plus my mom, eight 12:19	25 You could prove it with hydraulics and show you how 12:21
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1 these ones work. 12:21
2 These ones cut your neck off. People don't 12:21
3 tell you this stuff. I used to do salvage cars. This 12:21
4 one here is so dangerous. And it's not required. No 12:21
5 one seems to know this, you know. You don't have to 12:21
6 have this. Even if it's installed, you can just -- you 12:21
7 have to this one (indicating). 12:21
8 There are excuses that we only do in 12:21
9 California, which is California's got stuff that goes -- 12:21
10 you can't go against the federal Constitution. The 12:21
11 federal law is over the EPA, Environment -- you know, 12:21
12 DMV, Department of Motor Vehicles, federal agency said 12:21
13 you only have to have a two-point. 12:22
14 THE WITNESS: I'm talking way too fast. I do 12:22
15 feel sorry. I'm sorry about that. It's a lot of 12:22
16 information so if you go fast, but it's not fun to be 12:22
17 you. 12:22
18 I totally told them this was -- he needs to let 12:22
19 us go. I explained these things. 12:22
20 BY MR. HERNANDEZ: 12:22
21 Q. So you don't believe you received a citation, 12:22
22 or is it -- 12:22
23 A. It's a wording issue. If you would have said, 12:22
24 "Did you get a citation," I would have said "Yes." But 12:22
25 you said if you read it carefully No. 8 -- do you want 12:22

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1 me to read it out loud or not? It's up to you. "That 12:22
2 is subject of operative complaint." 12:22
3 Remember, the sergeant said the ticket -- so he 12:22
4 didn't give you the proper ticket. The sergeant said 12:22
5 this ticket was wrong. He said, "You're getting a 12:22
6 ticket for four people." The ticket said for non -- 12:22
7 what he claimed was a non-factory seat belt. But the 12:22
8 charge was -- so remember -- so the wording was the 12:22
9 ticket was given to me. The ticket should have been 12:23
10 given -- if there was any validity -- would have been to 12:23
11 my daughter. That's the law of California. California 12:23
12 law. Federal law says two-point. He should have given 12:23
13 her a ticket. 12:23
14 Q. So just to clarify, I understand that you 12:23
15 believe the citation was wrong and that's what -- 12:23
16 A. If it's wrong, then it's not subject -- 12:23
17 Q. And you went to the court -- 12:23
18 A. There's two different officers. And the court 12:23
19 said I was correct. 12:23
20 Q. Okay. Right. 12:23
21 A. I didn't get to my whole case. 12:23
22 Q. My question is very simple. 12:23
23 A. Okay. 12:23
24 Q. During the stop did you -- 12:23
25 A. I got an invalid ticket not matching the 12:23

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1 sergeant who took over the ticket. So he should have 12:23
2 given the ticket. This guy gave the ticket. 12:23
3 Q. Let me finish my question. 12:23
4 A. Sorry. 12:23
5 Q. So during the stop you did receive a citation. 12:23
6 However, you believe the citation was unlawful; would 12:23
7 that be -- 12:23
8 A. That's not a belief. The judge ruled on it 12:23
9 honestly. 12:23
10 Q. At the time -- 12:23
11 A. Well, I believed it was unlawful then too, 12:23
12 especially when the sergeant -- I don't know if you know 12:24
13 the legal thing. When a sergeant shows up, he has to 12:24
14 give me the ticket now. He took over the traffic stop. 12:24
15 This guy gave the ticket. So if you just want me to 12:24
16 answer and make it easy for you, Bates gave me a ticket 12:24
17 even though the sergeant said it was a different charge. 12:24
18 That makes it a null. I was given the wrong ticket. 12:24
19 The sergeant should have given me the ticket, 12:24
20 said, "Okay. I'm here. I've investigated this, and I 12:24
21 believe this shouldn't have four people on the thing 12:24
22 based on" -- they can't find a code. There's no code 12:24
23 for it. There's no limit on how many people in a 12:24
24 vehicle. 12:24
25 The only law, like I said, is the most open law 12:24

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1 of all of them. I do DMV stuff. You only have to have 12:24
2 a seat belt on. It doesn't have to be a certain seat. 12:24
3 It doesn't have to be a certain shape. It's really 12:24
4 interesting. As long as that seat belt doesn't rip out 12:24
5 and you're within the box inside the vehicle -- 12:24
6 Q. Okay. 12:24
7 A. -- that's the law -- 12:24
8 Q. All right. 12:24
9 A. -- factual. 12:24
10 Q. So I just want to kind of condense -- 12:24
11 A. You need an answer to help you. 12:24
12 Q. I just want to condense this. 12:24
13 So you received a citation that was ultimately 12:25
14 deemed not valid; right? 12:25
15 A. God is great. They have -- they have a free 12:25
16 lawyer. Officer of the law who got a badge and a gun. 12:25
17 I'm outnumbered. They got this great lawyer. I'm down 12:25
18 here a victim being interrogated as if I'd done 12:25
19 something wrong when I already won the case. If I was 12:25
20 here and I lost the case, I wouldn't be here, though. 12:25
21 Right? I wouldn't be here if the judge said, "Sir, you 12:25
22 guys did something wrong. There is a law that says the 12:25
23 seat belt, da, da, da and it doesn't have to be 12:25
24 factory." 12:25
25 If he would have said, "Look, here's -- we 12:25

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1	looked it up. We took our time. It says you can't have	12:25
2	a non-factory seat belt, sir. Did you know?" That's --	12:25
3	and this is the penal code or the civil code.	12:25
4	I would have been like, "I'm so sorry. I'll	12:25
5	pay the fine, and we'll never do it again, sir." I'm a	12:25
6	Bible translator. I follow the law if the law says it.	12:26
7	I looked up every law there was. DMV -- I had a stack	12:26
8	this thick (indicating) in my defense. We have five	12:26
9	ways we were innocent. You never see that. You only	12:26
10	need one. Right? Five different things that all said,	12:26
11	"You're a trash company. You're not responsible for the	12:26
12	passenger." And as a driver of a commercial truck,	12:26
13	it's -- people don't know this. A commercial truck is	12:26
14	even like a Chevy. They're not even that serious.	12:26
15	People don't know it.	12:26
16	If a person in their car -- the reason was too	12:26
17	because the idea was you're in a big truck or you're	12:26
18	working. You've got serious payload. You're doing	12:26
19	serious stuff. We want you to focus on the road. If	12:26
20	this passenger gets aggro and they go, "I don't want to	12:26
21	wear this seat belt anymore," they don't want you over	12:26
22	there fighting with them, "Hey, put your seat belt on.	12:26
23	I'm going to get a ticket from the cops."	12:26
24	So they went, "Okay. You just drive." If they	12:26
25	pull them over for something -- it's supposed to be for	12:26
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1	something else. But let's just say they pull them over,	12:26
2	"Hey, you" -- now the cop deals with them and says,	12:26
3	"Okay. You're getting a citation because you didn't	12:26
4	have" -- like I said, the lap belt thing makes it so you	12:26
5	can almost not pull anyone over. People don't know the	12:26
6	laws. Because if they knew that, they could say, "I	12:27
7	didn't have my thing on." But we were legit. We don't	12:27
8	drive around without seat belts. I have to follow the	12:27
9	law. This is crazy.	12:27
10	Q. Okay.	12:27
11	A. There's no chance I'm going to say, "Sir, I	12:27
12	don't believe in the law." I'm a Bible law translator,	12:27
13	word-for-word Bible translator. I give you the only	12:27
14	free one in the world. It's literally word-for-word.	12:27
15	There's no one Bible like it. You cross t's. You don't	12:27
16	even know about it, like things that are going on. We	12:27
17	give all this for free. We're just trying to help them.	12:27
18	We don't force it on you. We don't brainwash you. You	12:27
19	don't have to be a member. You come if you want. You	12:27
20	go if you want. We love people. What can we do to help	12:27
21	you? That's all we do.	12:27
22	Q. Okay. So I just want to --	12:27
23	A. We won the case. I hope you focus on that the	12:27
24	most. The judge was on our side.	12:27
25	Q. I understand.	12:27
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1	A. I thought he was against us. He was aggro the	12:27
2	first day. The second day he was ready to roll. It's	12:27
3	like he had a vision. I prayed. Right? He gets there	12:27
4	in the morning. And I had this big stack of all these	12:27
5	laws. We're going to win, I think, but he still can go	12:27
6	against us. Right?	12:27
7	The genius judge -- don't doubt the system.	12:28
8	This is why I'm still going to teach positives. The	12:28
9	paperwork works. Right? He looks it up, and he goes,	12:28
10	"Sir, I just noticed this. You filled in the box" -- I	12:28
11	think it was A or something. "And it says the	12:28
12	passenger. You gave a ticket to Jeff Macy, a famous	12:28
13	Bible translator who loves people who's well liked by	12:28
14	everybody, who's friends with the people in power up	12:28
15	there who doesn't want to make a big deal out of this.	12:28
16	You should have given the ticket to her at least but you	12:28
17	didn't. What do you want to do? Do you want to let	12:28
18	this case go?"	12:28
19	He's like, "Well, yeah."	12:28
20	And then the judge lectures him. He goes -- I	12:28
21	remember this. This is a beautiful moment. Do you	12:28
22	realize that? We're getting totally hammered. There's	12:28
23	no hope. And then the judge goes, "Why did you fill in	12:28
24	the wrong box?"	12:28
25	And he goes, "Well, this is how we were	12:28
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1	trained."	12:28
2	I was like, "Isn't that an admission of, like,	12:28
3	incompetence and whatever else you want to call it?"	12:28
4	Q. Okay. Mr. Macy --	12:28
5	A. And he goes, "Do you want to let the case go,	12:28
6	or do you want to still fight it?"	12:29
7	I go, "Well, I really wanted to fight it, to be	12:29
8	honest. I had a really good case, but I had to be	12:29
9	reasonable."	12:29
10	Q. Mr. Macy, we're not -- we don't dispute --	12:29
11	A. We won.	12:29
12	Q. -- that your citation was dismissed.	12:29
13	A. I love the system.	12:29
14	Q. Okay.	12:29
15	A. It's not perfect, but eventually someone	12:29
16	gets --	12:29
17	Q. I just want to summarize a couple issues that	12:29
18	we talked about because there's been a lot of testimony	12:29
19	that you provided today.	12:29
20	A. Oh, yeah.	12:29
21	Q. So I want to clarify two things, and we'll be	12:29
22	done.	12:29
23	A. God and Jesus loves all of you (indicating).	12:29
24	Q. So is it -- would it be accurate to state	12:29
25	that -- that you believed the stop was prolonged?	12:29
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1	A. It's a fact.	12:29	1	lecturing.	12:31
2	Q. Okay.	12:29	2	He said, "You need to know your job. This	12:31
3	A. And I'd already known the law.	12:29	3	bringing people" -- you know, that was a criminal	12:31
4	Q. What facts --	12:29	4	charge. If I didn't pay the fine, I would have gone to	12:31
5	A. He sat us in the truck. It was already past it	12:29	5	jail. If I didn't show up, I would have gotten a	12:31
6	before I even went back.	12:29	6	warrant to go to jail. And here I am winning the case.	12:32
7	Q. I'm just talking about the length of the stop.	12:29	7	So this is why he should really be in trouble.	12:32
8	A. It was over an hour. I can show you in	12:29	8	He drug us through the court for two days. Even after	12:32
9	documents.	12:29	9	begging him -- I talked to him nicely. He would never	12:32
10	Q. Okay.	12:29	10	smile. I said, "Look, all you had to do was say sorry."	12:32
11	A. It shows up on the ticket. It shows up on the	12:29	11	I even told his sergeant, "Look, people make mistakes.	12:32
12	MVARs cameras with the highway patrol.	12:29	12	After reading all this stuff, could you please -- the	12:32
13	Q. Right. We're not --	12:30	13	judge is going to rule in our favor. In the meantime	12:32
14	A. It shows up on their video when we leave. It's	12:30	14	it's going to look bad on your whole department. We're	12:32
15	over an hour. It's really easy.	12:30	15	going to lose all trust with you guys.	12:32
16	Q. So my question is to you. Can you just state	12:30	16	And now my kids are being told factually by	12:32
17	me the facts that you believe the stop was too long or	12:30	17	their dad, who's pretty good at what I do, "Do not trust	12:32
18	prolonged?	12:30	18	the highway patrol whatsoever. You need to film until	12:32
19	A. Well, the law -- the most -- the best case	12:30	19	the day you die anybody with the highway patrol car up	12:32
20	scenario is 15 minutes. They've got to have a training	12:30	20	in our area. Not everywhere. You need to be filming.	12:32
21	procedure. You can't hold them for more than	12:30	21	You need to call witnesses immediately and don't drive	12:32
22	15 minutes. The reasonable is five minutes, but the	12:30	22	anywhere by yourself."	12:32
23	15, they kind of let it go.	12:30	23	All my kids do not drive anywhere without a	12:32
24	And then they start bringing people in saying,	12:30	24	witness. If we -- if I didn't have my kids with me, I	12:32
25	"Why is all your stops" -- for a lot of reasons. They	12:30	25	would be locked up and my truck would be impounded and	12:32
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1	have other things to do, especially on a seat belt, you	12:30	1	there was no way I was going to win that case. What	12:32
2	know. It is -- if it's not criminal -- so the law -- I	12:30	2	would I have in my defense?	12:32
3	looked. It's 15 minutes. That's with weird things.	12:30	3	Q. Okay.	12:32
4	The supervisor shows up. It should be quick.	12:30	4	A. If he did an investigation, that's what they	12:32
5	The supervisor shows up, and he should have	12:30	5	try to get you for, like this. You say I'm not	12:32
6	known immediately that he'd already been there. He	12:30	6	interrupting you. That's their scam.	12:33
7	should have read the code. Okay. The code says, "No	12:30	7	Q. All right. So in your complaint you state the	12:33
8	one in the state of California shall drive without a	12:30	8	following: It says, "Officer entered truck without	12:33
9	seat belt securely fastened." Okay. The ticket that he	12:30	9	permission and seized private property without consent."	12:33
10	filled in said -- he wrote in -- he wrote in. Right?	12:31	10	We watched the videos --	12:33
11	He put the wrong box on who was getting charged. But	12:31	11	A. Video is taking of private property. I have to	12:33
12	then when he wrote it, it was secured. This is not --	12:31	12	make it clear because you might think, well, it's a	12:33
13	you don't have to be a genius to go you have to be	12:31	13	physical thing.	12:33
14	unsecured. He wrote in his own writing "secured by a	12:31	14	Q. Can you please let me finish the question.	12:33
15	non-factory seat belt." He didn't put in, "I felt it	12:31	15	A. All right. I didn't know if you understood	12:33
16	was unsafe. It wasn't mounted properly. I didn't -- I	12:31	16	that. That's all.	12:33
17	thought something could happen. Maybe someone -- I	12:31	17	Q. What I was going to say was that we watched the	12:33
18	thought it would break. I pulled it. It was loose."	12:31	18	video --	12:33
19	There's no credibility to saying that you did	12:31	19	A. Uh-huh.	12:33
20	nothing wrong. This is why this is so hard on me when I	12:31	20	Q. -- where you have those two instances where --	12:33
21	was in court. I was like, "Your Honor" -- he didn't	12:31	21	A. You see him in the truck.	12:33
22	want to keep hearing -- "please read this out loud one	12:31	22	Q. Right.	12:33
23	time." He finally did. I think that's when God -- and	12:31	23	You see Officer -- first you see Officer --	12:33
24	then he prayed -- in the morning he gets there. He	12:31	24	A. Someone taking the pictures. There's two	12:33
25	defended me for free. The judge threw it out. He was	12:31	25	instances. I'm sorry. I'll try not to say a single	12:33
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1	thing.	12:33	1	Out of this I tried the complaint. I talked to	12:35
2	Q. The video demonstrates Officer Bates one time	12:33	2	people on the phone. I asked to please say you're	12:35
3	and then a second time accompanied with Sergeant	12:33	3	sorry. For years they've been doing illegal activity	12:35
4	O'Brien; correct?	12:33	4	against our religious development for years. Pulling me	12:35
5	A. Uh-huh.	12:33	5	over for a license plate and then saying, "How much is	12:35
6	Q. Right? Yes? Correct?	12:33	6	your property worth? How many millions is it worth?"	12:35
7	A. Yes. I'm trying not to interrupt. I'm trying	12:33	7	And I'm like trying to play dumb. Right? I	12:36
8	to be -- you know, don't get me going. Right?	12:33	8	don't let them know. I'm like, "why are you curious?"	12:36
9	Q. That's okay.	12:34	9	You know, I'm playing like I have no idea. And then all	12:36
10	Then the video also demonstrates that Officer	12:34	10	of a sudden they leave. In the meantime I get pulled	12:36
11	Bates appears to be taking a photograph with a cell	12:34	11	over on the side of the road. It's not a good -- not a	12:36
12	phone.	12:34	12	safe place. If you don't know the forest, there's a	12:36
13	Would you agree to that?	12:34	13	forest road. There's no houses in sight. I'm here	12:36
14	A. Leaning in the truck (indicating) --	12:34	14	luckily with my family. You don't -- you don't do what	12:36
15	Q. Right.	12:34	15	I do. You don't understand the -- what -- you have to	12:36
16	A. -- inside the vehicle.	12:34	16	look at all the cases and see what's going on. They're	12:36
17	He's leaning in the vehicle taking the picture.	12:34	17	after me. Factually over 300. We won a case against	12:36
18	I mean, it's super solid.	12:34	18	the Board of Supervisors.	12:36
19	Q. So when your complaint references, "Seized	12:34	19	Q. Right.	12:36
20	private property images without consent," you're talking	12:34	20	So you --	12:36
21	about the photographs?	12:34	21	A. They are trespassing. They're arresting me.	12:36
22	A. Yes.	12:34	22	And they pulled me over and detained me forever. If	12:36
23	Q. Okay.	12:34	23	they don't do -- if something doesn't happen, it's	12:36
24	A. Let me know when to say something so I don't	12:34	24	going -- it's going -- I'm going to be dead. You guys	12:36
25	interrupt. Sometimes I think you're done, but you're	12:34	25	remember me, I hope.	12:36
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1	still going. You have little gaps sometimes.	12:34	1	Q. That's why I'm trying to understand the scope	12:36
2	Q. All right. Mr. Macy, is there any other	12:34	2	of your emotional distress claim because frankly --	12:36
3	reasons why at this point you believe you are entitled	12:34	3	A. You wouldn't want to be me. You wouldn't do	12:36
4	to compensation that we haven't discussed yet?	12:34	4	what I do. You would not risk your life to tell people	12:36
5	A. The legal stuff is a big deal. You went to	12:34	5	the truth. I don't believe that. I know so many people	12:36
6	four years and you had expert teachers.	12:34	6	say --	12:36
7	Q. I'm asking you, other than what we've already	12:34	7	I do a suicide hotline. Guess what? When you	12:36
8	discussed, do you believe there's any other factors?	12:34	8	ask someone, "Do you want to volunteer to do the suicide	12:36
9	A. Emotional distress for my whole family is	12:34	9	hotline," they're always like, "Yeah, yeah, yeah." As	12:37
10	pretty serious. They won't tow vehicles too. There's a	12:35	10	soon as they get a call, they quit. I do suicide	12:37
11	whole history that accumulated to this event. This	12:35	11	hotline sadly, help out police and fire department.	12:37
12	event is when I filed the paperwork. Before, I was	12:35	12	They don't even --	12:37
13	letting them go, forgiving them, turning the other	12:35	13	Free Bible is the biggest thing by far because	12:37
14	cheek. I don't want any drama. I teach -- I deal with	12:35	14	when you have a legal document, you can defend yourself.	12:37
15	almost every criminal up there. Right? I help them	12:35	15	You can have knowledge. When you don't have access to a	12:37
16	out. Not in a bad way. I don't do drugs. I tell them	12:35	16	proper Bible -- you don't even know about tithing. You	12:37
17	to get off drugs. I tell them to obey the cops,	12:35	17	don't know how brainwashed you are. I hope on your own	12:37
18	cooperate. Right? "Eventually if you're right, do the	12:35	18	personally you look at my website. It's 1611bible.us.	12:37
19	paperwork and all that."	12:35	19	Take the brainwashing test and see -- not my opinion.	12:37
20	So they've done a lot of bad stuff. They won't	12:35	20	I'm not a druggie.	12:37
21	tow vehicles. To this day I have illegal vehicles that	12:35	21	It says, "This is what they're doing. This	12:37
22	show up. They don't tow them anywhere else. We're	12:35	22	is" -- then you get the answer wrong. Then it tells you	12:37
23	being harassed continually. Since I did the paperwork,	12:35	23	the Bible verse. Now, who gave you that? I did.	12:37
24	now they stopped. So this is a big deal. This is real.	12:35	24	Without me no one's given it to you. I don't know if	12:37
25	You have to do paperwork.	12:35	25	you get that. No one else is exposing the churches and	12:37
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1 the government. 12:37	1 one knows this stuff, but I know this through my 12:39
2 You don't know how much money they got paid. 12:37	2 investigation. Right? They're parking up there, so 12:40
3 Burrtec got paid -- think about this if you want to -- 12:37	3 they're not getting inspected. It's a law. We all have 12:40
4 here's the connection with your case: Why would the 12:37	4 to get our vehicles smogged. I have a truck. They're 12:40
5 highway patrol want to get me? That's a question. 12:37	5 getting me -- I have to pay fees for stuff they don't 12:40
6 Right? Motive. You don't have to prove motive. But 12:37	6 even inspect. 12:40
7 why would they really want to get me? What did I 12:38	7 They're up, so they're gaining. Now they're 12:40
8 allege -- when I started finding out what was going on 12:38	8 giving the right to trespass, the County. Part of their 12:40
9 with the other thing, it all -- different things started 12:38	9 ordinance. Right? You can go through streets that 12:40
10 coming together. Right? 12:38	10 normally you couldn't go on with heavier trucks than you 12:40
11 Burrtec makes a lot of money. In our area 12:38	11 should be, which is damaging the roads. Interesting; 12:40
12 where we live, you weren't even allowed to have a trash 12:38	12 right? So they're gaining. They don't have to repair 12:40
13 service before. You had to do your own trash or you 12:38	13 the roads. They don't have to get smogs, brakes. 12:40
14 could pay a small local company to dump your trash. 12:38	14 They're not checking our drivers. We're making money. 12:40
15 Sorry I didn't say it right. Okay? 12:38	15 And now everybody has to buy trash. That's enriching 12:40
16 In fact the government up there said no. The 12:38	16 them greatly because normally people -- not everybody 12:40
17 reason they didn't want it, they didn't want trash cans 12:38	17 wants to buy trash. So why would the County do this? 12:40
18 in front of everyone's house. Right? And the sound, 12:38	18 Q. Mr. Macy -- 12:40
19 smog. So Burrtec started forcing us to pay for a 12:38	19 A. Money. 12:40
20 service we didn't need. I'm already a trash company. 12:38	20 Q. Mr. Macy, I'm going to stop you there 12:40
21 So I started investigating, is this legal? 12:38	21 because -- 12:40
22 Then there was all this persecution. I finally started 12:38	22 A. Okay. 12:40
23 filing paperwork. Right? I didn't want to do that, but 12:38	23 Q. -- I'm -- I don't understand -- 12:40
24 God said I could do it. It's peaceful. It's not 12:38	24 A. So the highway patrol is defending them by 12:40
25 harassing or any kind of negativity. 12:38	25 shutting me down. 12:40
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1 So I found out that's illegal. You can't -- so 12:38	1 Q. I don't understand how the emotional distress 12:40
2 the government of where I'm at -- 12:38	2 claim resulted from this. 12:40
3 You're not from here probably. Are you from 12:38	3 A. It's proof of what I've alleged. 12:40
4 San Bernardino? If you're not, you're not going to 12:38	4 Q. Okay. So are you suggesting then that you had 12:40
5 care. This is a bummer. So you're not going to really 12:39	5 emotional distress prior to this incident? 12:41
6 care about this story to understand it. 12:39	6 A. But not as great. 12:41
7 But if you're in San Bernardino now, you're 12:39	7 Q. And then this incident happened causing 12:41
8 forced to buy a trash. When I mean "forced," I'm going 12:39	8 emotional distress -- 12:41
9 to explain it. If you don't pay for that trash service, 12:39	9 A. Well, now it's -- finish. 12:41
10 the County will give out your private information, which 12:39	10 Q. -- exacerbated -- -- 12:41
11 is illegal. You're a federal lawyer. You know this. 12:39	11 A. Let me know when I can -- 12:41
12 It's illegal. They're giving it out. 12:39	12 Q. -- exacerbated your emotional distress. 12:41
13 You got -- where we live is rich people. You 12:39	13 And my question, then, is explain to me what 12:41
14 got P.O. Boxes. They don't want to know where people 12:39	14 those effects of your emotional distress -- how those 12:41
15 live. And this is the worst part. The County of 12:39	15 have impacted your life. But just talk about the 12:41
16 San Bernardino will collect the money on behalf of a 12:39	16 emotional distress. 12:41
17 private company called Burrtec. 12:39	17 A. Well, I'm a religious leader and I teach, 12:41
18 Now, why would they want to do that? Why would 12:39	18 number one, to obey the government. How sad is this? 12:41
19 they want to hire people from down here to come up there 12:39	19 And now I'm in a conflict of obey the government but 12:41
20 with these smog trucks, so why -- how do they both 12:39	20 file the paperwork. It changes -- it's changing my 12:41
21 benefit? So Burrtec -- I'm going to say it slowly and 12:39	21 stuff. Right? I have to push this now. I have to tell 12:41
22 quick -- they do not have to get smog tests on their 12:39	22 people because you never want to lie to people. Right? 12:41
23 trucks. That's a big financial savings for them. 12:39	23 So the Bible says obey the government, do -- 12:41
24 So what they do is they gave them a place to 12:39	24 there was an intent and purpose, for example, pay the 12:41
25 park on County property up there in San Bernardino. No 12:39	25 taxes and the government won't be after you. But if the 12:41
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1 gov- -- if people get corrupt and they do come after 12:41	1 reasons. Right? 12:44
2 you, what should you do? It just happens to be the 12:41	2 They don't trust them. These people hate cops 12:44
3 authorities. Well, don't be violent. You know, don't 12:42	3 because there's bad cops out there. And that one bad 12:44
4 fight them back, I mean, unless you really can get away. 12:42	4 cop makes everybody hate them, for example. I try to 12:44
5 I mean, they're probably going to win. They're going to 12:42	5 teach to love the police and love the authority. 12:44
6 shoot you or something so don't resist, you know. 12:42	6 Q. You don't get paid from your -- 12:44
7 But then what's the solution? I'm a leader. I 12:42	7 A. No, I don't. 12:44
8 have to tell people, "Let's not get violent." Why do 12:42	8 Q. -- religious organization; right? 12:44
9 people get violent? They get their feelings hurt. They 12:42	9 A. No. 12:44
10 don't know how to resolve things. So you guys need to 12:42	10 Q. It's all volunteer; right? 12:44
11 be educated. You almost all have to be lawyers. 12:42	11 A. Absolutely. I'm clean as a whistle. Not one 12:44
12 So I tell them, "I'll help you out for free if 12:42	12 penny. And yet people go, "How do you have so much?" 12:44
13 I can. You need to educate yourself." Now I've changed 12:42	13 Well, we love people. Try it. Try doing it right, see 12:44
14 my whole doctrine, if that's what you want to call it. 12:42	14 where you end up. It may not be cash, but it's a place. 12:44
15 My doctrine. It sounds shady. But a teaching. That 12:42	15 It's a truck that runs. 12:44
16 you need to be educated with paperwork because without 12:42	16 Q. Have you lost any business as a result of -- 12:44
17 this my truck would be gone, my business would be gone. 12:42	17 A. Yeah. 12:44
18 We would leave the area without a doubt immediately if I 12:42	18 Q. -- this stop? 12:44
19 had no paperwork. We're in danger. 12:42	19 A. A lot of police people. They've heard about 12:44
20 If you -- if you take the time to look at all 12:42	20 the case. We had a lot of -- sadly it was one of our 12:44
21 of our cases, it won't be believable. You won't believe 12:42	21 biggest clients was the police. The sergeant was one of 12:44
22 it unless you try to take the -- figure out that there's 12:42	22 our customers. Lots of police. 12:45
23 a lot of money the County is getting paid to let Burrtec 12:42	23 Q. So do you have -- 12:45
24 violate all of our federal rights. And if no one stands 12:43	24 A. Because they like our family. They don't want 12:45
25 up, people don't know how much trouble they're in. 12:43	25 criminals showing up on their property. 12:45
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1 This -- this act, if it doesn't get stood up 12:43	1 Q. Do you have any documentation demonstrating -- 12:45
2 to, you're done. If they can stay a monopoly and 12:43	2 A. I don't want to expose all people like that. 12:45
3 enforce it -- I don't know if you understand it -- 12:43	3 There's good police. They just -- they're friends and 12:45
4 Burrtec, for example -- I'm trying to give you one you 12:43	4 now they're freaked out because, look, I sued -- this is 12:45
5 can understand. You have to buy their trash. The 12:43	5 so bad to sue the highway patrol to tell people to obey 12:45
6 County is going to put a lien on your property and take 12:43	6 the authorities. 12:45
7 everything you own, the threat of your house. You know, 12:43	7 Q. You need to let -- 12:45
8 these are all liens against your house, against your 12:43	8 A. It's conflictive. 12:45
9 vehicle. 12:43	9 Q. You need to let me finish my question. 12:45
10 Highway patrol is against your vehicle. Right? 12:43	10 A. Sorry. 12:45
11 Then it can go into collections. But highway patrol 12:43	11 Q. Do you have any documentation demonstrating or 12:45
12 puts you in jail. It's no joke. I have to teach now 12:43	12 reflecting that you have lost business from law 12:45
13 everybody, you need to know the laws. Right? You need 12:43	13 enforcement personnel? 12:45
14 to take the Fifth Amendment anytime you can if they let 12:43	14 A. We wouldn't do that. We're Godly. I have tons 12:45
15 you. And if you can't sue -- the reality is I have to 12:43	15 of customers. Right? And now they're not calling. 12:45
16 teach if the highway patrol abuses you. They threaten 12:43	16 They -- they all know. This is Running Springs. They 12:45
17 you. They're clearly oppressing you. You know you're 12:43	17 all know. The sheriffs know because of that case that 12:45
18 legit. You're not fake. You're not making stuff up. 12:43	18 got dismissed against the thing. They know what's going 12:45
19 You're not just paranoid. 12:43	19 on. I have lawsuits against the police. 12:45
20 If you file a complaint with the sergeant, 12:44	20 Q. So -- 12:45
21 they're going to come after you harder. That's what 12:44	21 A. They know. 12:45
22 happened to us. You may not. There is good 12:44	22 Q. So my question is, do you have the 12:45
23 departments. It's a 50/50, I would say. They're all 12:44	23 documentation demonstrating -- 12:45
24 friends. You need to be educated. Cops don't have a 12:44	24 A. No. I mean, I could if I had -- if there was a 12:45
25 lot of friends. I don't want to sound shady. There's 12:44	25 good way that was safe. I'm not going to give out 12:46
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1 police -- I still do things right. I'm not going to 12:46
2 give out, "Here's the police officer's address. Here's 12:46
3 his name." Big guys that are retired. 12:46
4 They love our family. We've been all over 12:46
5 their property because they don't want druggies on their 12:46
6 property. They want people that respect the police. We 12:46
7 respect the police. I told you my friend's on the board 12:46
8 of directors. We like police. I still like them. I am 12:46
9 not going to let this blow off my whole -- but I have to 12:46
10 modify my teaching. You need to be able to file a 12:46
11 lawsuit because if you do internal affairs, you end up 12:46
12 in jail. 12:46
13 If you do a lawsuit -- look, you showed up. 12:46
14 There's a chance that things are going to get right. 12:46
15 It's your only chance. There is no other -- there's 12:46
16 nothing else left in America. 12:46
17 Q. So then you think you've lost law 12:46
18 enforcement -- 12:46
19 A. A lot of law enforcement. And they know a lot 12:46
20 of people. Sorry. 12:46
21 Q. Let me finish the question, sir. 12:46
22 You believe that you have lost law enforcement 12:46
23 personnel business because of this lawsuit? 12:46
24 A. Absolutely. For sure. For sure. It shouldn't 12:46
25 have been necessary. I tried to talk them out of it. 12:46
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1 You can ask. In private I made calls. I'm not going to 12:47
2 say what they said. "Please let's get this resolved." 12:47
3 Even after the case was over, they refused, and 12:47
4 I'm still getting dragged through trial. I'm going to 12:47
5 win this case. I can't wait for a jury. Can you 12:47
6 imagine real people hearing what the sheriffs have been 12:47
7 doing and the highway patrol? They're going to go stick 12:47
8 them. That's what I think. I don't mean stick them 12:47
9 physically. Sorry. No violence. 12:47
10 Q. Mr. Macy, I don't have any other questions. I 12:47
11 know that you wanted the videographer's information. 12:47
12 A. In case something gets shady, we need proof. 12:47
13 Q. I'll -- 12:47
14 A. It's all about how it turns out. 12:47
15 Q. I'm going to let -- have him give it to you 12:47
16 after we go off the record. Okay? 12:47
17 A. Thank you. 12:47
18 THE VIDEOGRAPHER: This concludes today's 12:47
19 deposition of Jeff Macy. The time is 12:46 p.m. We are 12:47
20 now off the record. 12:47
21 (The deposition concluded at 12:46 p.m.)
22 --oOo--
23
24
25
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1 (Signature page to the deposition
2 of Jeff Macy)
3
4 --oOo--
5
6 I hereby certify under penalty of perjury that
7 I have read the foregoing transcript. Corrections, if
8 any, were noted by me, and the same is now a true and
9 correct transcript of my testimony.
10 Executed this ____ day of _____,
11 2024, at _____, California.
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25
JEFF MACY
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1
2
3 REPORTER'S CERTIFICATE
4
5 I, STACY M. WILSON, C.S.R. No. 9530, do hereby
6 certify:
7 That prior to being examined, the witness named
8 in the foregoing deposition, JEFF MACY, was by me
9 administered an oath to testify to the truth, the whole
10 truth, and nothing but the truth;
11 That said deposition was taken before me at the
12 time and place therein set forth and was taken down by
13 me in shorthand and thereafter was transcribed into
14 typewriting under my direction and supervision, and I
15 hereby certify the foregoing deposition is a full, true,
16 and correct transcript of my shorthand notes so taken.
17 I further certify that I am neither counsel for
18 nor related to any party to said action, nor in any way
19 interested in the outcome thereof.
20 Witness my hand this 14th day of October, 2024.
21
22
23
24
25
Stacy M. Wilson
STACY M. WILSON, CSR NO. 9530
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<p>1 JULIO A. HERNANDEZ, ESQ. 2 julio.hernandez@doj.ca.gov 3 OCTOBER 14, 2024 4 RE: Jeff Macy, Et Al. v. California Highway Patrol Et Al 5 10/1/2024, Jeff Macy, (#6884847). 6 The above-referenced transcript has been 7 completed by Veritext Legal Solutions and 8 review of the transcript is being handled as follows: 9 __ Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext 10 to schedule a time to review the original transcript at 11 a Veritext office. 12 __ Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF 13 Transcript - The witness should review the transcript and 14 make any necessary corrections on the errata pages included 15 below, notating the page and line number of the corrections. 16 The witness should then sign and date the errata and penalty 17 of perjury pages and return the completed pages to all 18 appearing counsel within the period of time determined at 19 the deposition or provided by the Code of Civil Procedure. 20 Contact Veritext when the sealed original is required. 21 __ Waiving the CA Code of Civil Procedure per Stipulation of 22 Counsel - Original transcript to be released for signature 23 as determined at the deposition. 24 __ Signature Waived – Reading & Signature was waived at the 25 time of the deposition.</p> <p>Page 210</p>	
<p>1 __ Federal R&S Requested (FRCP 30(e)(1)(B)) – Locked .PDF 2 Transcript - The witness should review the transcript and 3 make any necessary corrections on the errata pages included 4 below, notating the page and line number of the corrections. 5 The witness should then sign and date the errata and penalty 6 of perjury pages and return the completed pages to all 7 appearing counsel within the period of time determined at 8 the deposition or provided by the Federal Rules. 9 _X_ Federal R&S Not Requested - Reading & Signature was not 10 requested before the completion of the deposition. 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>Page 211</p>	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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EXHIBIT B

Excerpt of the Deposition of Jeff Macy

Case Name: Macy v. Bates

Transcript: [10/1/2024 9:00 AM] Jeff Macy

Pg: 65 Ln: 25 - Pg: 73 Ln: 5

65:25 Q. I just want to get some quick background.

66: 1 What kind of cell phone was this video taken
2 on?

3 A. Right here. My phone.

4 Q. Do you know what type of phone that is?

5 A. Samsung Galaxy Note 10, I think. It's not a
6 weapon.

7 Q. Okay.

8 A. That's the reason they said I -- the sergeant
9 said I couldn't record. He thought this was a weapon.

10 Q. Sir --

11 A. It's a battery on top of the phone. It's 0
12 relevant.

13 Q. So my understanding is that you initially
14 started to record and then during the time that you were
15 recording, at one point you gave the cell phone to one
16 of your children; right?

17 A. Yeah. I was forced to. I was ordered to.

18 Q. Okay.

19 A. It was lawful command. He's a sergeant. Not
20 just an officer. He's a sergeant. Very expected to be
21 professional and know the laws of the state of
22 California and federal law. You are allowed -- in fact
23 to video-record an officer is why the law exists. It's
24 not for any other reason. I bet you already know it by
25 heart, I'm sure.

67: 1 Every citizen has a right involving officers
2 and the public to record an officer. So I was doing
3 that peacefully. Held it like this (indicating).
4 Didn't hold it -- I wasn't acting -- I like police. My

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5 board of directors is a sheriff. You know, we believe
6 in law and order.

7 Q. Okay.

8 A. We tried to get him to not harass us. Right?
9 So we're just filming peacefully. I'm filming.

10 Q. Just so I have it on the record, you had
11 indicated just now you were holding your phone kind of
12 like breast, about the size of your chest?

13 A. That's how the police do it.

14 Q. -- in --

15 A. The exact same way.

16 Q. -- in what we would call portrait mode up and
17 down; right?

18 A. This is not -- this is not a weapon style.
19 It's some type of -- he knew us. The sergeant knew we
20 were good. He even told this guy, "These are good
21 family people."

22 Q. Okay.

23 A. We didn't come across as threatening.

24 Q. I had asked you earlier and you agreed that
25 you -- at one point you provided the phone to one of
68: 1 your children to continue the videotape?

2 A. That's not the right wording. That's not
3 proper.

4 Q. You indicated you were ordered?

5 A. The sergeant said, "You cannot film because
6 why" -- or he goes, "Could you set" -- this is why it
7 was another red flag. This is really bad. The first
8 guy is shady. Not the second guy, which I thought was a 3
9 good guy. Right?

10 He goes, "You guys, can you please set your

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11 phone down." Now, what does that normally mean in law
12 enforcement? You're getting arrested. You got to put
13 all your stuff down. They're arresting you. Right?
14 That's why you put it down. There's no logical reason.
15 This is not -- so later I was smart, while I was
16 backing, to hand it to my son. Right?

17 Q. Okay.

18 A. I go, "Can I give it to my son?"

19 He goes, "Yeah."

20 Q. Okay. So --

21 A. I was smart. On the way walking over to my
22 son, I turned around and said, "Why -- why can't I
23 record you?"

24 He goes, "Because that could be a weapon."

25 This cell phone with the battery on it.

69: 1 Q. Okay.

2 A. It's not a taser. It's not anything dangerous.
3 I'm not a dangerous person. I have no violence in my
4 background. I don't have a threat towards any police.
5 I love everybody. Even shady people still change. I
6 deal with dangerous people all the time. That's what we
7 do. We still believe in forgiveness and change.

8 Q. Mr. Macy --

9 A. So I handed it to him. I said, "Please record
10 for me, Josiah."

11 Q. What's the name of the son you gave the --

12 A. Josiah Macy. Who I'm blessed to have -- if I
13 didn't have him there, I would have no film, guys. We
14 would have no proof that the officer had identification
15 folded over, refused to give me his name.

16 Q. So then --

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Transcript: [10/1/2024 9:00 AM] Jeff Macy

17 A. We would have no evidence.

18 Q. So at that point --

19 A. We would have lost our case.

20 Q. At that point, then, you gave it to your son,
21 and he continued recording until the end of the video?

22 A. I told him. He knows. I said, "You need to
23 record." He knew my life was in jeopardy.

24 Q. Okay. I'm trying to establish who recorded
25 when. Okay?

70: 1 Initially you started recording. You were
2 asked by the officer to provide it to your son.

3 A. Sergeant.

4 Q. Or the sergeant. I'm sorry.

5 The sergeant --

6 A. He didn't ask. He commanded. Officers don't 4
7 ask, "Hey --

8 Q. Sir --

9 A. -- you like the weather?" 4

10 No. They go, "Put the phone down."

11 Q. So I might have used the wrong word. So let
12 me restart --

13 A. And then they handcuff you. That's the normal
14 thing. Do you think I was concerned?

15 Q. Mr. Macy --

16 A. For my daughter having a seat belt on they
17 didn't think was sufficient.

18 This is out of control. I hope you would
19 investigate this.

20 Q. Mr. Macy, you initially were videotaping.

21 The sergeant then commanded you to give it to
22 your son?

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23 A. Commanded. Gave an order -- a lawful order is
24 the proper wording. It's a called a lawful -- he
25 believed it was lawful. I believed it was unlawful.

71: 1 Q. Okay. So then at that point, then, you gave it
2 to your son Josiah?

3 A. Yes. I was smart, intelligent. I'm not
4 going -- if I were to obey his command completely, we
5 would not have a case. You guys would have got away
6 with harassing me and my family for over an hour that
7 we won in court.

8 You made us go all the way down the hill, go
9 through a two-day trial, and the judge -- I didn't even
10 have to finish it off. Didn't even get to the rest of
11 my evidence -- said, "This" -- he told the officer, "Was
12 this an illegal ticket? Did you fill in the wrong box?"

13 And he goes, "Yeah."

14 Well, then he explained it to him, "This box --
15 this box that you filled in on the ticket is for a
16 passenger. You got Jeff Macy in court, a famous Bible
17 translator who gives people his life for free. And
18 guess what? Do you want to dismiss this ticket?"

19 Q. Mr. Macy, I was asking who was videotaping. I
20 didn't finish my question.

21 A. Okay.

22 Q. So Josiah, then, once he took the cell phone,
23 videotaped it until the end of the stop; right?

24 A. Until the end. They said, "Get in your car."

25 Q. Okay. Once you got in the vehicle --

72: 1 A. They said it very intimidating. He said, "Get
2 in your car." What are you supposed to do? Get in your
3 car. That's what we do. We obey the law.

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4 Q. Okay.

5 A. "Get in your truck." Sorry.

6 Q. So then you videotaped it first and then your
7 son and no one else; right?

8 A. That's correct.

9 Q. Okay. Thank you.

10 A. The cars were supposed to have cameras on them.
11 You asked a question. I have the right to answer it.
12 You said no one else. Well, the cars were supposed to
13 have cameras on them.

14 Q. No one else used your phone to videotape;
15 right?

16 A. The main officer who pulled me over illegally,
17 his got edited and deleted. There's sections deleted
18 out of the time. You can see it. We've checked it many
19 times over on the video. Why would he delete what was
20 said out there?

21 Q. Okay. Once again, I just want to establish who
22 used your cell phone. 7

23 A. I need to answer -- you said did anyone else
24 film. I need to answer that. At the end of the traffic
25 stop --

73: 1 Q. Mr. Macy, you need to stop.

2 A. Okay.

3 Q. Okay. I've never raised my voice in a
4 deposition before, but I need you to stop so I can ask
5 the question, please.

[DAG Hernandez then attempts to go off the record; Upon return on the record,
DAG Hernandez continued as follows below.]

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Pg: 75 Ln: 5 - 16

75: 5 BY MR. HERNANDEZ:

6 Q. Sir, this is my deposition, and I asked you a
7 question about who continued videotaping with your
8 cellphone. All right?

9 So let me ask you again. The only individuals
10 who used your cell phone to videotape this -- the
11 incident was yourself and your son Josiah; is that
12 correct?

13 A. My phone, yes. Correct.

14 Q. Thank you.

15 And, Mr. Macy, I understand that I did raise my
16 voice and I apologize.